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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES,

OF

THE STATE OF INDIANA,

DURING THE

TWENTY-EIGHTH SESSION

OF THE

GENERAL ASSEMBLY.

INDIANAPOLIS:
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1843.

INDIANA STATE LIBRARY

JOURNAL

OF THE

HOUSE OF REPRESENTATIVES,

OF THE

STATE OF INDIANA,

Begun and held at the Capitol in the town of Indianapolis, on Monday, the 4th day of December, in the year of our Lord one thousand eight hundred and forty-three, being the day fixed by the Constitution of the State of Indiana, for the meeting of the General Assembly.

The House having been called to order by Andrew J. Harlan, Assistant Clerk to the late House of Representatives, the following members produced their credentials, were sworn into office by the Hon. John W. Wright, President Judge of the 8th judicial circuit of the State of Indiana, and took their seats, viz:

From the county of Wayne—Samuel Hannah, John W. Williamson and David P. Holloway.

From the county of Dearborn—Pinckney James and David Macy.

" " " *Vigo*—John Hodges, Thomas Dowling and C. Garrett.

From the county of Putnam—John H. Roberts and William D. Allen.

" " " *Rush*—Jesse Morgan and Samuel Barrett.

" " " *Parke*—James Kerr and William G. Coffin.

" " " *Clark*—John S. Simonson and James S. Athon.

" " " *Harrison*—William M. Saffer and Franklin McRae.

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From the county of Washington—Ezekiel D. Logan and John Kelly.

From the county of Marion—John Sutherland and Obediah Harris.

" " " *Jefferson*—Isaac Chambers and Stephen Lee.

" " " *Franklin*—Joel Palmer and James R. Jones.

" " " *Fayette*—Samuel W. Parker and Henry Simpson.

From the county of Laporte—Ferdinand Roberts and William Allen.

" " " *Henry*—Joel Reed and Robert J. Hudleston.

" " " *Montgomery*—Phillip E. Engle, James H. Harrison and James Seller.

From the county of Tippecanoe—Phillip Forseman, Samuel F. Clark and Isaac Shelby.

From the county of Hamilton—Haymond W. Clark and William W. Conner.

From the covnty of Hancock—Joseph Chapman and James P. Foley.

From the county of Lawrence—Ralph G. Norvell and William Burton.

From the county of Fountain—John R. Jones.

" " " *Boone*—Benjamin Boone.

" " " *Madison*—Thomas McAllister.

" " " *Orange*—William A. Bowles.

" " " *Shelby*—Augustus C. Handy.

" " " *Warrick*—Isham Fuller.

" " " *Vanderburgh*—Daniel Miller.

" " " *Knox*—James D. Williams.

" " " *Sullivan*—Thomas Turman.

" " " *Clay*—John B. Nees.

" " " *Vermillion*—Henry Hostetter.

" " " *Warren*—Leroy Gregory.

" " " *Clinton*—Ephraim Byers.

" " " *Carroll*—Andrew L. Robinson.

" " " *Morgan*—Francis A. Matheny.

" " " *Johnson*—Franklin Hardin.

" " " *Jennings*—De Witt C. Rich.

" " " *Floyd*—George J. Wolf.

" " " *Scott*—David McClure.

" " " *Jackson*—Samuel P. Mooney.

" " " *Switzerland*—T. T. Wright.

" " " *Ripley*—Meshack Hyatt.

" " " *Decatur*—David Montague.

" " " *Cass*—George W. Blakemore.

" " " *Elkhart*—Joseph Cowan.

" " " *St. Joseph*—Harris E. Hurlbut.

" " " *Allen*—Lucian P. Ferry.

" " " *Hendricks*—Samuel A. Verbrike.

" " " *Delaware*—Goldsmith C. Gilbert.

" " " *Grant*—Samuel L. Woolman.

" " " *Gibson*—William Montgomery.
" " " *Spencer*—Thomas M. Smith.
" " " *Perry*—Arnold Elder.
" " " *Randolph*—Edward Edger and R. Ford.
" " " *Union*—Charles Nutter.
" " " *Greene*—John F. O'Neal.
" " " *Owen*—George W. Moore.
" " " *Pike*—Robert Logan.
" " " *Crawford*—Huston Miller.
From the counties of Davies and Martin—Silas L. Halbert.
" " *county of Bartholomew*—Heman H. Barbour.
" " *counties of Monroe and Brown*—Willis A. Gorman.
" " " *Miami and Wabash*—Daniel R. Bearss.
" " " *Huntington, Wells and Blackford*—Peter Keimer.
From the counties of Kosciusko and Whitley—Abraham Cuppy.
" " " *Fulton and Marshall*—Joseph Robbins.
" " " *White, Pulaski, Jasper and Benton*—David McConnell.
From the counties of Noble and Lagrange—Joshua T. Hobbs.
" " " *Steuben and DeKalb*—Jacob Helwig.
" " " *Adams and Jay*—Samuel S. Mickle.
" " " *Porter and Lake*—Alexander McDonald.
" " *county of Dubois*—Benjamin R. Edmonston.

The House then proceeded to the election of Speaker, Messrs. Hannah and Norvell acting as tellers. On counting the first ballot, it appeared that

William A. Bowles received	- - -	1 vote
Willis A. Gorman "	- - -	9 "
Benjamin R. Edmonston "	- - -	13 "
Ezekiel D. Logan "	- - -	12 "
Samuel W. Parker "	- - -	37 "
Andrew L. Robinson, "	- - -	18 "
Scattering, - - -	- - -	5 "

No person having received a majority of all the votes given, the House proceeded to a second balloting; when it appeared that

Samuel W. Parker received	- -	35 votes
Andrew L. Robinson "	- -	27 "
Benjamin R. Edmonston "	- -	13 "
Willis A. Gorman "	- -	9 "
Ezekiel D. Logan "	- -	6 "
William A. Bowles "	- -	1 "
Scattering - -	- -	4 "

Neither of the gentlemen having received a majority of all the votes given, the House proceeded to a third balloting, when it appeared that

Andrew L. Robinson received	- -	37 votes
Samuel W. Parker "	- -	35 "

Benjamin R. Edmonston	"	-	-	18	"
William A. Bowles	"	-	-	1	"
Scattering	-	-	-	5	"

No person having yet received a majority of all the votes given, the House proceeded to a fourth balloting, when it appeared that

Andrew L. Robinson	received	-	-	59	votes
Benjamin R. Edmonston	"	-	-	17	"
Samuel W. Parker	"	-	-	11	"
William A. Bowles	"	-	-	1	"
Scattering	-	-	-	8	"

Andrew L. Robinson having received a majority of all the votes given, was declared duly elected Speaker of the House of Representatives during the present session, and was conducted to the chair by Messrs. Logan of Washington, and Dowling; when he returned his acknowledgements to the House for the honor conferred.

On motion of Mr. Logan of Washington,

The House proceeded to the election of a Principal Clerk, Messrs. Rich and Chapman acting as tellers. On counting the first ballot, it appeared that

William H. English	received	-	-	51	votes
George Taylor	"	-	-	23	"
Levi L. Todd	"	-	-	12	"
Cyrus V. N. Lent	"	-	-	9	"
Scattering	-	-	-	1	"

William H. English having received a majority of all the votes given, was declared duly elected Principal Clerk of the House of Representatives during the present session; was sworn into office by the Hon. John W. Wright, President Judge of the 8th Judicial Circuit of the State of Indiana; and entered upon the discharge of his duties.

On motion,

The House proceeded to the election of an Assistant Clerk, Messrs. Matheny and Montague acting as tellers. On counting the first ballot, it appeared that,

D. S. Gooding	received	-	-	43	votes
W. Jennings Vawter	"	-	-	27	"
Andrew J. Harlan	"	-	-	17	"
Nathaniel Bolton	"	-	-	8	"
Scattering	-	-	-	1	"

No person having received a majority of all the votes given, the House proceeded to a second balloting, when it appeared that

W. Jennings Vawter	received	-	-	68	votes
Andrew J. Harlan	"	-	-	21	"
N. Bolton	"	-	-	7	"

William Jennings Vawter having receieed a majority of all the votes given, was declared duly elected Assistant Clerk of the House of Representatives during the present session; was sworn into office

by the Hon. W. Wright, President Judge of the 8th Judicial Circuit of the State of Indiana, and entered upon the discharge of his duties; when, on motion,

The House adjourned till 2 o'clock, P. M.

2 o'clock, P. M.

The House met pursuant to adjournment.

On motion of Mr. Moore,

The House proceeded to the election of a Door-Keeper, Messrs. Norvell and Gregory acting as tellers; when, upon counting the 7th balloting, it appeared that

John S. Berryhill received	- -	61 votes
John C. Hogin "	- -	29 "
J. T. Fell "	- -	5 "
Scattering - -	- -	2 "

John S. Berryhill having received a majority of all the votes given, was declared duly elected Door-Keeper of the House of Representatives during the present session; was sworn into office, and entered upon the discharge of his duties.

On motion of Mr. Rich,

Resolved, That the Clerk of this House inform the Senate that the House of Representatives have convened, formed a quorum, elected Andrew L. Robinson, Speaker; William H. English, Principal Clerk; W. Jennings Vawter, Assistant Clerk; John S. Berryhill, Door-Keeper, and are now ready to proceed to legislative business.

On motion of Mr. Norvell,

Resolved, That the rules governing the House of Representatives in 1842–'43 be adopted as the rules of the present session.

On motion of Mr. Logan of W.,

Resolved, That the editors of the State Sentinel, Indiana Journal, and Western Union Democrat, and their assistants, be permitted to occupy seats within the bar of this House to report its proceedings during the present session for their respective papers.

On motion,

The House adjourned until to-morrow morning 9 o'clock.

TUESDAY MORNING, DECEMBER 5th, 1843.

The House met pursuant to adjournment.

The following message was received from the Senate, by Mr. Otto, their Principal Secretary :

Mr. Speaker :

I am directed by the Senate to inform the House of Representatives that the Senate has adopted the following resolution :

Resolved, That the House of Representatives be informed that the Senate have convened, formed a quorum, elected William T. Otto, Principal Secretary, Edward C. Doran, Assistant Secretary, and Jno. Bishop, Door-keeper, and that they are now ready to proceed to legislative business.

On motion of Mr. Saffer,

Resolved, That a committee of two be appointed on the part of the House to act with a similar committee on the part of the Senate to wait on the Rev. Mr. Beecher and request him to attend in the hall of the House of Representatives to-day at 2 o'clock P. M., to open the present session of the General Assembly by prayer, and that the Senate be requested to reciprocate this resolution, and that seats be prepared for them on the right of the Speaker's chair.

Messrs. Saffer and Parker were appointed said committee on the part of the House.

Mr. Gorman moved that the House do now proceed to the election of Sergeant-at-Arms.

Mr. Logan of Washington moved to lay the motion on the table ;

Which was not agreed to.

Mr. Parker moved to amend said motion as follows :

Resolved, That the Door-keeper of the House *ex officio* act as Sergeant-at-Arms during the present session.

And the ayes and noes being demanded by two members :

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Allen of Putnam, Barrett, Bearss, Blakemore, Boone, Byers, Clark of Hamilton, Coffin, Conner, Cuppy, Edger, Elder, Foley, Ford, Forseman, Fuller, Garrett, Gilbert, Hannah, Hardin, Harris, Harrison, Hiatt, Hobbs, Hodges, Holloway, Hostetter, Huddleston, Hurlbut, Jones of Franklin, Kelly, Kerr, Logan of Pike, Logan of Washington, Macy, McDonald, McRae, Mickle, Miller of Crawford, Montgomery, Moore, Morgan, Nutter, Palmer, Parker, Read, Rich, Robbins, Roberts of Laporte, Roberts of Putnam, Saffer, Seller, Simonson, Smith, Sutherland, Turman, Verbrike, Williams, Williamson, Woolman and Wright.—63.

Those who voted in the negative are,

Messrs. Athon, Barbour, Bowles, Burton, Chambers, Chapman, Clark of Tippecanoe, Cowen, Dowling, Edmonston, Engle, Ferry, Gorman, Gregory, Halbert, Handy, Helwig, James, Jones of Fountain, Keimer, Lee of Jefferson, Matheny, McAlister, McClure, McConnell, Miller of Vanderburgh, Montague, Mooney, Nees, Norvell, O'Neal, Shelby, Wolf and Mr. Speaker.—34.

So said amendment was adopted.

Mr. Chapman moved further to amend said resolution as follows :

That the Door-keeper be allowed no additional fees in consequence of the additional service required of him as Sergeant-at-Arms.

On motion of Mr. Dowling,

Said resolution and pending amendment were laid on the table.

The following message was received from the Senate by Mr. Otto, their Principal Secretary :

Mr. Speaker :

I am instructed by the Senate to inform the House of Representatives that the Senate has adopted the following resolution :

Resolved, That the joint rules which were in force for the government of the last General Assemby be adopted by the Senate as the rules of the joint action for the present session, and that the House of Representatives be informed of the adoption of said joint rules and their concurrence requested therein.

The House reciprocated the resolution mentioned in said message.

The following message was received from the Senate by Mr. Otto, their Principal Secretary :

Mr. Speaker :

I am directed by the Senate to inform the House of Representatives that the Senate has adopted the following resolution :

Resolved, That the Senate will, the House of Representatives concurring therein, proceed on Saturday next at the hour of 10 o'clock A. M., to the election of Treasurer and Auditor of State, to fill the vacancies occasioned by the expiration of the term of service of the present incumbents.

On motion of Mr. Bowles,

Said resolution mentioned in the said message was laid on the table.

The following message was received from the Senate by Mr. Otto, their Principal Secretary :

Mr. Speaker:

The Senate reciprocates the resolution of the House of Representatives, appointing a committee to wait on the Rev. Mr. Beecher, and request him to attend in the House of Representatives at 2 o'clock, P. M., to open the present session of the General Assembly by prayer. Messrs. Dobson and Bradley are appointed a committee on the part of the Senate.

Mr. Parker offered for adoption the following resolution:

Resolved, That His Excellency the Governor, be requested to inform this House, if the message in the Daily Sentinel of this morning be genuine, and if so, if he authorized the publication of the same, prior to its formal delivery to both Houses by him.

Mr. Bowles moved to lay said resolution on the table;

Which did not prevail.

The question then recurring on the adoption of said resolution,

The ayes and noes having been demanded by two members;

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Allen of Putnam, Barrett, Bearss, Blakemore, Boone, Byers, Chambers, Clark of Hamilton, Coffin, Conner, Dowling, Edger, Foley, Ford, Foresman, Garrett, Halbert, Hannah, Harris, Harrison, Hiatt, Hobbs, Hodges, Holloway, Hudleston, Hurlbut, James, Kerr, Lee of Jefferson, Matheny, Miller of Vanderburgh, Montague, Morgan, Nutter, Parker, Reed, Rich, Roberts of Laporte, Seller, Shelby, Simpson, Sutherland, Turman, Verbrike, Williams, Williamson, Wolf and Woolman—50.

Those who voted in the negative are,

Messrs. Athon, Barbour, Bowles, Burton, Chapman, Clark of Tippecanoe, Cowen, Cuppy, Edmonston, Elder, Engle, Ferry, Fuller, Gilbert, Gregory, Handy, Hardin, Helwig, Hostetter, Jones of Fountain, Jones of Franklin, Keimer, Kelly, Logan of Pike, Logan of Washington, McAlister, McClure, McConnell, McDonald, McRae, Mickle, Miller of Crawford, Montgomery, Mooney, Moore, Nees, Norvell, O'Neal, Palmer, Robbins, Roberts of Putnam, Simonson, Smith, Wright and Mr. Speaker—45.

So said resolution was adopted.

On motion of Mr. Morgan;

Resolved, That a committee of two be appointed on the part of this House, to act in conjuction with a similar committee to be appointed by the Senate, to wait on His Excellency the Governor, and inform him that the two Houses have convened and organized by the election of their officers, that they are now ready to receive any communication he may be pleased to make, and to know at what time he may be pleased to make such communication.

Messrs. Morgan and Rich are appointed said committee on the part of the House.

The following message was received from the Senate by Mr. Otto, their Principal Secretary:

MR. SPEAKER:

I am instructed by the Senate to inform the House of Representatives that the Senate has adopted the following resolution:

Resolved, That the House of Representatives be requested to return to the Senate the resolution transmitted to the House of Representatives in relation to the election of Auditor and Treasurer of State.

On motion of Mr. Bowles,

Said resolution, in said message mentioned, was ordered to be returned to the Senate, in pursuance of the request in the above message.

Mr. Norvell offered for adoption the following resolution:

Resolved, That this House will adjourn, (the Senate concurring therein) *sine die*, on the ninth day of January next;

Mr. Edmonston moved to strike out the "9th" and insert the "first" of January;

Mr. Roberts of Putnam moved to lay the resolution and pending amendment on the table;

And on that motion, the ayes and noes were demanded by two members:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Allen of Putnam, Barbour, Barrett, Boone, Bowles, Byers, Chambers, Chapman, Clark of Tippecanoe, Conner, Cowen, Edger, Fuller, Gorman, Gregory, Halbert, Hardin, Hobbs, James, Jones of Franklin, Keimer, Lee of Jefferson, Logan of Washington, Macy, McClure, McConnell, Miller of Crawford, Miller of Vanderburgh, Montague, Montgomery, Mooney, Moore, Morgan, Nees, O'Neal, Palmer, Rich, Robbins, Roberts of Laporte, Shelby, Tevis and Turman—43.

Those who voted in the negative are,

Messrs. Athon, Bearss, Blakemore, Burton, Clark of Hamilton, Coffin, Cuppy, Edmonston, Elder, Engle, Ferry, Foley, Ford, Foresman, Garrett, Gilbert, Handy, Hannah, Harris, Harrison, Helwig, Hiatt, Hodges, Holloway, Hostetter, Hudleston, Hurlbut, Jones of Fountain, Kelly Kerr, Lee of Posey, Logan of Pike, Matheny, McAlister, McDonald, McRae, Mickle, Norvell, Parker, Reed, Seller, Simonson, Simpson, Smith, Sutherland, Verbrike, Williamson, Wolf, Woolman, Wright and Mr. Speaker—57.

So said motion did not prevail.

Mr. Moore moved to amend by striking out the "ninth of January" and insert the "twenty-fifth of December;

On motion of Mr. Bowles,

The resolution and pending amendments were laid on the table.

On motion of Mr. Foley,

Resolved, That one hundred copies, of each of the standing committees and order of business, be printed for the use of the members of this House as soon as convenient, after the standing committees shall have been announced.

On motion,

The House adjourned until 2 o'clock, P. M.

2 *o'clock*, *P. M.*

The House met pursuant to adjournment.

Mr. Saffer from the joint committee on that subject, made the following report:

Mr. Speaker:

The committee appointed on the part of the House, in conjunction with a similar committee on the part of the Senate, to call on the Rev. Henry W. Beecher, and request him to open the present General Assembly by prayer, at 2 o'clock on this day, now report, that they have performed that duty, and have received for reply from Mr. Beecher, that he will meet the General Assembly at the time, and perform the service requested.

The Hon. Benjamin Tevis, the Representative elect from the county of Jefferson, appeared, produced his credentials of election, and was sworn into office by the Hon. William P. Bryant, President Judge of the 7th judicial circuit of the State of Indiana.

The following message was received from the Senate by Mr. Otto, their Principal Secretary:

Mr. Speaker:

I am instructed by the Senate to inform the House of Representatives that the Senate reciprocates the resolution of the House for the appointment of a joint committee of the two Houses, to wait on the Governor, to inform him of the organization of the two Houses, and that they are ready to receive any communication he may be pleased to make, and to learn at what time he may be please to make such communication.

Messrs. Stanford and Reed are appointed a committee on the part of the Senate.

The following message was received from the Senate by Mr. Otto, their Principal Secretary:

Mr. Speaker :

I am directed by the Senate to inform the House of Representatives that the Senate has adopted the following resolution :

Resolved, That a committee of two members of the Senate be appointed to act with a similar committee to be appointed on the part of the House to wait on his Excellency the Governor, and learn of him at what time he will make his annual communication to the present General Assembly, and report their proceedings to their respective Houses, and that the House of Representatives be informed of the adoption of this resolution.

Messrs. Stanford and Reed are appointed said committee on the part of the Senate.

Mr. Morgan, from the joint committee to wait on his Excellency the Governor, made the following report :

Mr. Speaker :

The committee appointed on the part of the House to act with a similar committee appointed by the Senate to wait on his Excellency and know at what time he would be pleased to deliver his annual message to both Houses of the General Assembly, have performed that duty, and report that he will be ready to deliver his message to both Houses in the Hall of the House of Representatives this day at half past 2 o'clock P. M.

On motion of Mr. Logan of Washington,

Resolved, That the Senate be invited to attend in the Hall of the House of Representatives *instanter* to be present at the opening of the present session of the General Assembly by prayer, and that seats be provided for them on the right of the Speaker's chair.

The Senate then came into the hall and took their seats on the right of the Speaker's chair,—the President of the Senate on the right of the Speaker, when the Rev. Mr. Beecher, in a very able and appropriate manner, addressed a prayer to the Throne of Grace.

The Senate being present in the Hall of the House of Representatives, his Excellency the Governor then came in, attended by the joint committee appointed for that purpose, and in person delivered the following message, in the presence of both Houses :

Gentlemen of the Senate
and House of Representatives:

Convened under the Constitution as the Representatives of the people, it becomes us on proceeding to the discharge of our public duties, to remember the Supreme Ruler of the Universe, for the blessings which have crowned the year now drawing to a close. We have peace with all the world. Commotions and feuds have not been permitted to disturb the harmony of the Union. Bountiful crops have rewarded the labors of the husbandman. An unusual degree of health has prevailed in almost every part of the State. Although the last few years have been attended with a depression which caused all our interests to droop and languish, the indications that industry will again receive its appropriate reward, are calculated to inspire hope and confidence.

Since the last meeting of the legislature, nothing has transpired which has produced any material alteration in our affairs, or which calls for any special legislative interference, beyond the ordinary duties which annually require consideration; although some of the matters that will claim your attention, involve considerable difficulty.

The current expenses of the Government for the fiscal year ending on the 31st of last October, were $90,897 00 as shown by the report of the Treasurer of State, which is herewith laid before the legislature.

The Auditor in his report, herewith submitted, estimates the sum necessary for the current fiscal year at $100,000 00.

The revenue of the present year, levied and collected by law, will amount to about $240,000 00. Nearly all of this sum will be paid in Treasury Notes. It is not my wish or intention to interfere with the course of policy, which it may be found expedient to adopt, after my connection with the government of the State shall be dissolved; but I trust I shall not be regarded as travelling beyond the appropriate sphere of my duties, in reiterating the recommendation contained in my last annual message against the re-issue of Treasury Notes, if it can possibly be avoided. They form a very considerable portion of the circulating medium in many parts of the State, passing at a value below par; and a re-issue would inevitably produce their farther depreciation, thereby inflicting an additional loss upon the people which they could illy endure. Throwing these Notes again into circulation, is to require the people to again redeem them, and it is respectfully submitted, whether it would not be the better course to resort to such temporary loans as might be found expedient and practicable.

The State Agent has not been able to submit the report of his operations; but I am authorized by him to say that the situation of the suspended debt on account of bonds sold by the State remains nearly as stated in his report of last year. Much of this debt is hopeless; and even as it respects that portion of it which may be regarded as capable of collection, but little can be realized from it at present. The Agent states that he has succeeded in obtaining $30,000, which, under

a law of last session he is required to pay to certain contractors on the public works, whose claims against the State remain unsatisfied.

In my annnal message to the legislature in December, 1841, I gave a detailed statement of the extent and condition of the public debt. Its amount was then stated to be $15,088,000. Since then, no part of the interest upon this sum has been paid, except upon that portion of it borrowed for the establishment of the State Bank. In the meantime, however, a portion of this debt has been liquidated. The stockholders of the Lawrenceburgh and Indianapolis Railroad Company have returned bonds in lieu of the bonds issued by the State to the Company—the State Agent has taken up some of the outstanding bonds in the adjustment of portions of the suspended debt—a part of the Treasury Notes in circulation, have been redeemed in the collection of the revenue—so that the State debt remains not far different from what it was in 1841.

During the present year I have received two communications from foreign holders of our bonds; one from the city of London—the other from Geneva, which are herewith laid before the General Assembly.

In my previous messages I strongly pressed upon the legislature the condition of the public debt, and the adoption of such measures as might, as far as our circumstances would permit, enable us to do what is just and right with regard to it. It will require no exertion to fold our arms, and say that our liabilities are beyond our means, and therefore we will not even make an effort to pay. There may be some amongst us, who would be well satisfied, if those entrusted with public affairs would avoid all allusion to this subject. I cannot believe that Indiana will openly repudiate her debts; but the same result can be as readily brought about by doing nothing, and will as certainly though not as speedily, secure for us all the reproach and disgrace consequent upon the direct act. I know we cannot now pay the interest on our public debt. All I urge is that we should acknowledge the obligations resting upon us, and shape our measures so as to apply all the available means, which industry, economy, and careful management may hereafter furnish us, to the discharge of those obligations. So far as our prosperity is identified with the confidence reposed in our citizens—so far as our public men may promote our interests in the councils of the nation and otherwise, it is essential that the character of the State should be preserved; for if it be destroyed, we will find that confidence will be withheld, that all our influence will be lost.

A company has been recently organized under the act of 1842, providing for letting the public works to companies, with a view to the completion of the Cross-Cut Canal terminating at Terre-Haute, under very favorble circumstances. I am not able to speak with accuracy of the operations of the White-Water Valley Canal, and the Madison and Indianapolis Railroad companies. It is understood, however, that the respective works have been prosecuted with a zeal and determination which promise fair for their completion.

The continuation of the Wabash and Erie Canal under the super-

vision of James Blair, Esq., the present commissioner, has been prosecuted with as much rapidity as the means appropriated to the work would permit; and it is now pretty certain that it will be finished to Terre-Haute fully as soon as was at first anticipated. The report of the commissioner is herewith laid before the Legislature, and exhibits the extent of his operations and expenditures.

The State of Indiana was authorized by an act of Congress to select lands equal to the quantity covered by Indian reservations on the lands selected on account of the Wabash and Erie canal east of Tippecanoe river. This duty was performed during the past summer by Messrs. Sigler and Murray, who were appointed for that purpose. It was found that of the lands selected for the canal west of Tippecanoe, a considerable quantity was taken from the State by preemption claims. It was also signified to the Executive that the original selections for the Wabash and Erie canal were made on the assumption that the canal followed a strait line; whereas by taking the actual length of the canal as located, for the basis of the selections, the State would be entitled to an additional quantity of land. The above named agents in obedience to instructions, selected lands in lieu of those covered by preemption rights, and at the same time additional lands to supply the deficiency arising from the alleged error in taking a direct line as the foundation of the previous selections. This latter claim has been submitted to the action of the appropriate department at Washington City, and will probably be determined during the present winter.

It may be proper to mention, that by the act of 1842, authorizing the continuation of the public works by companies, provision was made for disposing of all or any part of said works to individuals or companies, for the bonds which had been issued by the State. It was also required that publication of the object of said act should be made for thirty days in the Journal of Commerce, published in the city of New York, which requisition was immediately complied with by the Executive. The hope was entertained by some, that as the bonds were greatly depreciated, and the State had agreed to receive them at their face, that no inconsiderable portion of the public debt would in this way be liquidated. But there have been as yet no propositions submitted for the return of our bonds in this mode, and we cannot reasonably expect any relief from this provision of the above named act.

The State Bank of Indiana still maintains her credit, and with the improvement of the times will be able to resume her usefulness. The question no longer admits of a doubt that this institution, under the same prudent management which has sustained it thus far, will survive the difficulties and embarrassments which have involved so many similar institutions in ruin.

The following table exhibits the general condition of the affairs of the bank, as shown on the 31st of last October.

MEANS.

Discounted notes and Bills of Exchange,	$2,640,695 25
Balances due from, and notes of other Banks,	427,437 74
Balances between, and notes of other Branches,	159,516 48
Specie,	969,306 84
Other sources,	925,196 11
	$5,122,142 42

LIABILITIES.

Notes in circulation,	$2,115,225 50
Notes in other Branches,	120,540 00
Individual deposites,	200,248 93
Balances due other Banks,	38,632 83
Balances between Branches,	43,248 44
School fund tax,	14,228 64
Suspended interest and other items,	29,367 50
	$2,561,501 84
Remainder, being am't of State and individual stock, and profits thereon,	2,560,640 58
	$ 5,122,142 42

By this exhibit the following changes have taken place in the amounts of her circulation and specie, since the statement presented in my last annual message :

Nett circulation on October 31, 1843,	$2,115,225	
Nett circulation on October 31, 1842,	1,732,518	
Increase of circulation in the last twelve months,		$382,707
Specie on October 31, 1843,	$969,306 84	
Specie on October 31, 1842,	799,047 96	
Increase of specice in the last twelve months,		$170,258 88

The exhibit of means as above, are,	$5,122,142 42	
All her liabilities, other than to the stock-holders, are,	2,561,501 82	
The remaining stock of the State, is,	$880,000 00	
Saline and Bank tax stock,	5,716 27	
Individual and county stock,	1,252,455 98	
		$2,138,172 25
Leaving an excess of profits, for meeting losses, and for dividends,		$423,329 58

The new State prison, commenced in 1841, is progressing rapidly towards completion; and if the policy of the last two years should be continued the cause for reproach so long and justly resting on this part of our criminal jurisprudence will be removed. The report of the visiter of the State prison, now laid before you, shows the condition of the present prison, and the number and management of the prisoners, and is satisfactory as to the government of that institution, taking into consideration the obstacles in the way of enforcing the proper discipline.

At the last session of the legislature an act was passed directing the Governor to collect information respecting a lunatic asylum, and to lay the same before the legislature at its present session. This duty has been attended to, and the documents and information which have been collected are in the possession of I. P. Smith, Esq., who is preparing plans and specifications in relation to an asylum which will be ready to be laid before the legislature in the course of a few days.

In my last annual message I made an earnest appeal to the legislature on the subject of common schools, and more particularly in relation to the condition of the funds set apart for the purposes of education. Although the facts drawn out by an irregular investigation were imperfect as to the details, still enough was elicited to satisfy every one that our school funds were not producing the fruits which we had a right to expect, but were in danger in many cases of being irretrievably lost. Efforts were then made by appropriate enactments to secure a strict accountability on the part of the officers entrusted with those funds; and there can be little doubt, that if those enactments should be faithfully adhered to, and carried out, that the various education funds will be rendered much more secure and productive, and the facilities of ascertaining information respecting them will be such that the legislature can, at any time, be fully advised of their amount, condition, and productiveness, and be prepared at all times to legislate on the subject of education. It may be that the strict provisions, which have been recently adopted, by their tendency to develope defalcations, have excited opposition on the part of those who are not prepared to encounter a rigid investigation; still it is confidently trusted that the legislature will never lose sight of the importance of strictly guarding this sacred fund, and providing suitably for its application to the objects for which it is intended.

The cause of education in the higher institutions of learning, from the information I have been able to acquire, has at no time in this State, appeared to be more flourishing than at the present. It is a source of much gratification to witness their success and prosperity; for those trained in these schools are to exercise a most important influence on the destinies of our State.

The propriety of making some provision for the education of the deaf and dumb has been frequently urged on the consideration of preceding legislatures. At the last session an act was passed authorizing the collection of a tax of two mills on the hundred dollars of taxable property to be applied to this object. During the present

year Mr. and Mrs. Willard, themselves mutes, and recommended as highly competent teachers, have opened an institution in Indianapolis for the instruction of the deaf and dumb. They have now thirteen pupils under their care. They have had a number of applications on behalf of others, whose parents are unable to support them at the institution. Mr. and Mrs. Willard are at present teaching without any compensation, for the purpose of showing what may be accomplished in the instruction of those who are denied hearing and speech. Frequent opportunities will be presented to the members of the legislature of witnessing the course adopted and the progress made in the instruction of these pupils; and it is presumed that these exhibitions will plead more eloquently for the unfortunate mute than any thing which I can urge upon your attention. I cannot, however, let this occasion pass without asking on their behalf that the legislature will make suitable provision for this institution, and for affording the means of instruction to all who may be presented, whether they may or may not be able to pay for that instruction.

It is well known that there has been no general organization of the militia of this State for a number of years. This has been brought about, not so much by any defect in the laws as by a general abandonment by common consent of the entire military system. The last returns possessed by the Adjutant General were made in the year 1832. Upon these returns we have been ever since drawing our share of the public arms, although the increase of the militia of this State would no doubt entitle us to nearly double the amount which is received under the present arrangement. To remedy this difficulty, the Adjutant General by an act, approved ———, 1843, was required to forward to the proper department at Washington, the number of taxable polls in the year 1842, as evidence of the effective Militia of Indiana. The Adjutant General has performed this duty, and has received a reply, stating that the list furnished is not such a return as will justify the distribution of a greater quantity of arms than has been made since the returns of 1832. It is well worth the attention of the legislature to adopt measures which will prevent the State from being deprived of her just share of the public arms distributed by the General Government to the several States.

The Revised Statutes enacted at the last session of the General Assembly, will soon be ready for delivery. It was expected that the printing would have been completed before this time; but a considerable amount of public printing had to be done before the Statutes could be commenced, and it was soon discovered that if they were carried through the press with the rapidity which would ensure their delivery at an early day, innumerable mistakes and errors would occur, which would greatly detract from the value of the work. Hence it was concluded that the increased accuracy which would be secured by the delay of a few weeks would more than counterbalance any inconvenience which might be experienced in consequence of such delay.

The last five years constitute an eventful period in the history of our State. The trade and business of the whole country have been

interrupted, credit has been destroyed, and a great number of the most active and enterprising of our citizens have sunk beneath the pressure of the times. The system of state improvements, from which so much was anticipated, has failed, involving the State in a debt beyond her immediate resources. At present, however, we have assurances of reviving hope and confidence, which indicate clearly that the worst is past. There is an evident upward tendency in prices, and a briskness of demand for our surplus productions, from which we may augur the return of a prosperous business. In looking, however, to the future, we must not forget the past. Excesses have been committed. Efforts to grow rich by new and untried schemes and projects were too common, and have been followed by the inevitable consequences of wild and reckless speculation. All that we value—all that tends to our prosperity and enjoyment, is the creation of industry. Nature may be lavish of her bounties—we may have a fruitful soil and genial seasons, yet they are of no benefit to us, unless they have been compelled to contribute to our comfort and happiness by the expenditure of labor. The wealth of a country is incresed in proportion to its industry and economy. Capital may be enlarged, nominally, without adding to our real wealth; or may be employed in pursuits which promise much, and which may occasionally add to the fortunes of single individuals, but not resting on the basis of productive employment, invariably yield in the end a distressful harvest of ruined hopes and prospects to the great body of the community.

And first among those pursuits on which the citizens of our State are to rely for substantial wealth, we must reckon the cultivation of the soil. Steady markets, uniform prices, and a sound currency are essential, however, at all times to agricultural prosperity. To obtain these we must mainly depend upon our own government. If we would have valuable markets, we must create them; if we would secure prices which will return a fair profit, and protect us from the evils of a fluctuating trade and commerce, we must have a steady demand, the limits of which can at all times be estimated. We must give protection to our own industry. By protection, I mean the adoption of that policy which will encourage and sustain those branches of business by which our productions will be consumed, furnishing a suitable return to the producer. Have we a foreign market for our surplus on which we can at all times rely? The restrictions of foreign nations are intended to bear heavily on many of our most valuable agricultural products. The question of protection is sometimes stated as if it were in the nature of a privilege to one class at the expense of another. It does not follow that this is the case because our farm productions cannot be affected in the home market by foreign competition. If the direct protection of other interests results in the establishment of a home market, it is as directly beneficial to the agriculturist as if it sprang from legislative provisions directed solely to his interests. Exclusive advantages not benefiting others are not to be tolerated; but we must not forget to distinguish that protection which necessarily includes partial evils as the effect of a compromise

to secure a greater average amount of good, from those enactments which do not secure any such desirable results and do not exclude still greater evils. Our true policy, in view of the restrictions of other nations, is to render ourselves independent of the pauper labor and workshops of Europe.

There is another matter intimately connected with our prosperity. I allude to the currency. A purely hard currency, as a political question, may be made instrumental in propitiating prejudices which exist to some extent in every community ; but when we look at the diversified relations of the whole country—the distant points which are connected in trade and commerce—and the inconvenience and certain loss to which we are subjected by an unequal currency, or a currency almost as difficult of transmission considering all risks as our own articles of trade, the necessity of a circulating medium, by which we shall be enabled to secure exchanges at fair and reasonable rates, in connection with a currency which shall be at par in all parts of the Union, and readily convertible into gold and silver, is obvious. The business of this country never was more healthy, credit never more sound than when our main reliance was on such a currency, and we must believe that a return to it will produce similar results.

To day closes my connection with the government of the State of Indiana. The situation which I have occupied has been one not only of responsibility, but of difficulty. It has been my endeavor to perform the various duties which devolved upon me in such a manner as to redound to the benefit of the State. In my recommendations to the legislature, I have zealously urged the promotion of the great interests of education—the cherishing of those institutions which are regarded as essential to civilized life—the just relief of the people so far as it could be secured by proper legislation—a careful and frugal economy—a strict accountability of all public officers, with a view to avoid all wasteful expenditure of the public moneys—and a rigid investigation of the accounts and proceedings of those connected with our public works ; and again and again have I urged the absolute necessity of refraining from all measures which might tarnish the reputation of our State in reference to our public debt—I have endeavored in all my duties to avoid the prostitution of my office to mere partisan purposes ; for I care not what a man's capacity or qualifications, for the office which he holds may be, he can never be in the legitimate exercise of his duties when he forgets that such office is held for the benefit of the people, not to aid a mere party—and when the latter course is taken the public interests are sure to suffer. I may have erred ; such is the lot of human nature. Instances may have occured in which I have been subjected to censure. As to these, I have only to say that acting from the lights before me, I supposed I was doing right. I could not always see what others were able to discover after the act was performed, and by which they were enabled to form a different, and in all probability, a more correct opinion, and thus censure has been bestowed on me for not discerning what was, at the time, beyond the reach of my vision. I retire to a private station in society without personal regret

at the decision which places me there; carrying with me the consciousness of having endeavored to do my duty. I shall always feel a deep interest in the welfare and prosperity of the State of Indiana, and no one will more regret than myself anything which may fasten a lasting stain upon her character. That your deliberations may be characterized by wisdom and moderation, and promote the common welfare, add to the happiness of the people, secure their prosperity, and tend to the perpetuation of our beloved institutions, is my sincere prayer, at the close of my official duties.

EXECUTIVE CHAMBER, *December 5th*, 1843. SAMUEL BIGGER.

The Senate then returned to their chamber.

On motion of Mr. Simonson,

Resolved, That the Secretary of State be requested to furnish this House with six copies of the revision of the laws as far as the same may be completed.

Mr. Gorman offered for adoption the following resolution:

Resolved, That the Door-keeper of the House of Representatives be instructed to contract with the publishers of the Indiana State Sentinel, and the Indiana State Journal for two copies each of their respective daily papers, for the use of this House during the present session.

Mr. Norvell moved to lay the resolution on the table;

Which did not prevail.

The question then recurring on the adoption of said resolution,

And the ayes and noes having been demanded by Messrs. Rich and Norvell:

Those who voted in the affirmative were,

Messrs. Athon, Barbour, Bearss, Bowles, Byers, Chapman, Clark of Tippecanoe, Coffin, Cowen, Dowling, Edmonston, Foresman, Fuller, Gilbert, Gorman, Gregory, Halbert, Hobbs, Hurlbut, Jones of Fountain, Keimer, Matheny, McAlister, McConnell, McDonald, McRae, Miller of Crawford, Miller of Vanderburgh, Nees, O'Neal, Robbins, Saffer, Simonson, Smith Spicknell, Woolman, and Mr. Speaker.—37.

Those who voted in the negative were,

Messrs. Allen of Laporte, Allen of Putnam, Barrett, Blakemore, Boone, Burton, Chambers, Clark of Hamilton, Conner, Cuppy, Edger, Elder, Engle, Ferry, Foley, Ford, Garrett, Handy, Hannah, Hardin, Harris, Harrison, Helwig, Hiatt, Hodges, Holloway, Hostetter, Huddleston, James, Jones of Franklin, Kelly, Kerr, Lee of Jefferson, Logan of Pike, Logan of Washington, Macy, McClure, Mickle, Mon-

tague, Montgomery, Mooney, Moore, Morgan, Norvell, Nutter, Palmer, Parker, Reed, Rich, Roberts of Laporte, Roberts of Putnam, Seller, Shelby, Simpson, Sutherland, Tevis, Turman, Verbrike, Williams, Williamson, Wolf and Wright.—62.

So said resolution was not adopted.

The Hon. Richard N. Spicknall, the member elect from the county of Dearborn, appeared, produced his credentials of election, and was sworn into office by the Hon. Andrew L. Robinson, Speaker of the House of Representatatives, and took his seat.

On motion of Mr. Dowling,

Resolved, That the public printer be directed to print 2,000 copies of the message of the Governor, delivered this day, for the use of the members.

The Speaker laid before the House the following communication, from His Excellency the Governor, in answer to a resolution of the House, of this day:

EXECUTIVE DEPARTMENT, }
December 5, 1843. }

Hon. A. L. Robinson,

Speaker of the House of Representatives:

I have the honor to acknowledge the receipt of the following resotion of the House of this date:

"*Resolved*, That His Excellency the Governor, be requested to inform the House, if the message in the Daily Sentinel of this morning be genuine, and if so, if he authorized the publication of the same prior to its formal delivery to both Houses by him."

It has been the practice during my administration, and I understand that the same course has been practised before, to furnish the printers of the several newspapers at Indianapolis, with copies of the Governor's message, so that it may be ready for distribution in the newspapers immediately after its delivery to the Legislature. Last year there were some complaints because it was said, that good faith on this particular had not been kept. I determined that the copies should not be delivered as soon as formerly to prevent a repetition of the cause of complaint. I was informed at different times during the last four or five days by the public printers, that applications had been made from the Sentinel office for a copy of the message, and that the matter was referred to my decision. I told the printers not to give out any copy without my direction. I was also informed that the applying editor of the Sentinel was strong in his declarations that the establishment would under no circumstances permit a copy to be distributed from the office until the message was delivered to the Legislature. The abuse heretofore complained of, consisted in sending off copies of the message by the mail on the evening previous to the time of its delivery to the Legislature. About 4 o'clock of yesterday eve-

ning, as I supposed there could be no danger of sending off the message before its delivery, I directed copies to be furnished to the Journal and Sentinel offices, never for a moment anticipating that my confidence would be so far abused as to publish the message in this place before I had delivered it to the Legislature. I have never had a word of conference with the Editors of the Sentinel on this subject. It is, and has been here well understood that it is a matter of favor to get a copy of the message before its delivery, to be repaid by strictly watching against a copy getting into circulation before the proper time.

Mr. Chamberlain, of the firm of Cutler and Chamberlain, who are employed in doing the public printing, I understand, delivered the copy on Monday evening to one of the Mr. Chapman's. He says he did not exact any pledge on the subject, because he supposed it was so well understood that no copy was to be given out, and moreover such strong protestations of keeping it back had been made by the members of the establishment who had applied for it, that he would as soon have thought of exacting a pledge that they should not commit the crime of murder. Indeed my own view of the matter is, that to have exacted a specific pledge, taking into consideration the well understood rule in all cases, and the previous declarations of one, and perhaps both of the members of that establishment, must have been regarded as an insult.

I regret exceedingly the occurrence which elicited the resolution to which the reply has been given. I am just retiring from office. I have endeavored in my official intercourse with those opposed to me in politics to avoid anything which would give rise to personal difficulties. In giving out copies of my message for publication, I was doing what I always understood to be the custom in such cases, and that it was a matter of honor and good faith on the part of the publishers, not to suffer a single copy to issue, until the message was delivered. I know of no reason why I should have received such treatment on this occasion—why a matter of favor on my part should have been turned into an occasion to do me an injury. nor shall I enquire into the reasons of it. I assure the House of Representatives, that this premature publication of my message was made without my knowledge or consent, and had I supposed it could have occurred, I should have prevented it.

I have the honor to be,
most respectfully,
your obedient servant.

SAMUEL BIGGER.

On motion of Mr. Parker,

Said communication was laid on the table.

Mr. Gorman offered for adoption the following resolution:

Resolved, That the Messrs. George A. & J. P. Chapmans be re-

quested to communicate to this House their reasons for publishing and putting into circulation the Governor's message before it was formally delivered to the Legislature.

Mr. Parker moved to lay said resolution on the table;

And the ayes and noes having been demanded by Messrs. Gorman and Parker:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Barbour, Barrett, Bearss, Blakemore, Boone, Byers, Chambers, Clark of Hamilton, Coffin, Conner, Dowling, Foley, Ford, Forseman, Garrett, Gilbert, Hannah, Harris, Harrison, Hiatt, Hobbs, Hodges, Holloway, Hostetter, Hudleston, Hurlbut, Kerr, Lee of Jefferson, Macy, McDonald, Miller of Vanderburgh, Montague, Morgan, Nutter, Parker, Reed, Rich, Roberts of Laporte, Seller, Shelby, Simpson, Sutherland, Tevis, Verbrike, Williamson, Wolf and Woolman—48.

Those who voted in the negative are,

Messrs. Allen of Putnam, Athon, Bowles, Burton, Chapman, Clark of Tippecanoe, Cowen, Cuppy, Edger, Edmonston, Elder, Engle, Ferry, Fuller, Gorman, Gregory, Halbert, Handy, Hardin, Helwig, Jones of Fountain, Jones of Franklin, Keimer, Kelly, Logan of Pike, Logan of Washington, Matheny, McAlister, McClure, McConnell, McRae, Mickle, Miller of Crawford, Montgomery, Mooney, Moore, Nees, Norvell, O'Neal, Palmer, Robbins, Roberts of Putnam, Saffer, Simonson, Smith, Spicknall, Turman, Williams, Wright and Mr. Speaker—50.

So said motion did not prevail.

Mr. Bowles moved to strike out the word "requested" and insert in lieu thereof the word "permitted;"

Which motion prevailed.

Mr. Macy moved further to amend by requiring said Chapmans to answer upon oath;

Which motion did not prevail.

The question then recurring upon the adoption of said resolution as amended;

And the ayes and noes having been demanded by Messrs. O'Neal and Gorman:

Those who voted in the affirmative are,

Messrs. Allen of Putnam, Athon, Barbour, Boone, Bowles, Burton, Chapman, Clark of Tippecanoe, Conner, Cowen, Coffin, Cuppy, Edger, Edmonston, Engle, Ferry, Fuller, Gorman, Gregory, Halbert, Handy, Hardin, Helwig, Hiatt, Jones of Fountain, Jones of Franklin, Keimer, Kelly, Lee of Jefferson, Logan of Pike, Logan of Washing-

ton, Matheny, McAlister, McClure, McConnell, McDonald, McRae, Miller of Crawford, Montgomery, Mooney, Moore, Nees, Norvell, O'Neal, Palmer, Rich, Robbins, Roberts of Putnam, Saffer, Simonson, Spicknall, Tevis, Turman, Williams, Wolf, Wright and Mr. Speaker—57.

Those who voted in the negative are,

Messrs. Allen of Laporte, Barrett, Bearss, Blakemore, Byers, Chambers, Clark of Hamilton, Dowling, Elder, Foley, Ford, Forseman, Garrett, Gilbert, Hannah, Harris, Harrison, Hobbs, Hodges, Holloway, Hostetter, Hudleston, Hurlbut, James, Kerr, Macy, Mickle, Miller of Vanderburgh, Montague, Morgan, Nutter, Parker, Reed, Roberts of Laporte, Seller, Shelby, Simpson, Smith, Sutherland, Verbrike, Williamson and Woolman—41.

So said resolution was adopted.

Mr. Simonson, on leave being granted, introduced the petition of sundry citizens of Clark county, in relation to pilots and piloting at the falls of the Ohio;

Which was referred to a select committee of Messrs. Simonson, Wolf and Safler.

Mr. Fuller, on leave granted, presented the petition of citizens of Warrick county, in relation to the collection of taxes;

Which was referred to a select committee of Messrs. Fuller, Roberts of Putnam, Nees, Edmonston, Helwig, Hannah, Simonson, Montague, Nutter, Cuppy, Cowen, Moore and Chapman.

On motion,

The House adjourned till to-morrow morning, 9 o'clock.

WEDNESDAY MORNING, DEC. 6, 1843.

The House met pursuant to adjournment.

On motion of Mr. Edmonston,

Resolved, That the Senate be informed that the House is now ready to open and publish the returns of the votes for Governor and Lieutenant Governor, of the State of Indiana, at the late election, in the presence of both Houses of the General Assembly, and that the Senate is invited to attend in the Hall of the House for that purpose, and that seats be provided for them on the right of the Speaker's chair.

On motion of Mr. Foley,

Resolved, That the Principal Clerk of this House be directed to furnish the members thereof at as early a day as convenient, with one

INDIANA STATE LIBRARY

hundred and fifty printed copies of the Rules and Joint Rules of the House of Representatives.

The Speaker announced the following as the order of business, until otherwise directed by the House :

I. Reading of the Journal.
II. Petitions, memorials, and remonstrances.
III. Reports from standing committees.
1st. On Elections.
2d. On Ways and Means.
3d. Judiciary.
4th. Education.
5th. Military Affairs.
6th. On the Affairs of the State Prison.
7th. On the Affairs of the town of Indianapolis.
8th. On Claims.
9th. On Roads.
10th. On Canals and Internal Improvements.
11th. On Agriculture.
12th. On Corporations.
13th. On the State Bank.
14th. On Federal Relations.
15th. On Public Expenditures.
IV. Reports from Joint Standing Committees.
1st. On Public Buildings.
2d. On the Canal Fund.
3d. On the State Library.
V. Reports from Select Committees.
VI. Resolutions of the House.
VII. Joint Resolutions.
VIII. Bills.
IX. Orders of the day.

The Speaker also announced the appointment of the following Standing Committees:

ON ELECTIONS.

Messrs. Barbour, Engle, Fuller, Gilbert, Handy, Hobbs, and Williams.

ON WAYS AND MEANS.

Messrs. Bowles, Matheny, Gorman, Reed, Mooney, Lee of Posey, and James.

ON THE JUDICIARY.

Messrs. Parker, McDonald, Gorman, Blakemore, Barbour, Matheny, and Rich.

ON EDUCATION.

Messrs. Norvell, Jones of Franklin, Macy, Dowling, Hodges, Huddleston and O'Neal.

ON THE STATE BANK.

Messrs. Edmonston, Foresman, Mickle, Edger, Simonson, Holloway, and Hardin.

ON MILITARY AFFAIRS.

Messrs. Logan of Washington, Gregory, Simpson, Ford, Fuller, Nees and Harris.

ON STATE PRISON.

Messrs. Simonson, Bearss, Boone, Williamson, Athon, McAlister, and Miller of Vanderburgh.

ON TOWN OF INDIANAPOLIS.

Messrs. Sutherland, Chapman, Elder, Seller, Morgan, Clark of Hamilton and Verbrike.

ON CLAIMS.

Messrs. Cuppy, Blakemore, Burton, Roberts of Laporte, O'Neal, Coffin and Byers.

ON ROADS.

Messrs. Chapman, Morgan, Wolf, Hurlbut, Miller of Crawford, Shelby and Cowen.

ON CANALS AND INTERNAL IMPROVEMENTS.

Messrs. Roberts of Putnam, Bearss, Jones of Fountain, Palmer, Dowling, Gregory and Chambers.

ON AGRICULTURE.

Messrs. Clark of Tippecanoe, McRae, McConnell, Montgomery, Keimer, Foley and Tevis.

ON CORPORATIONS.

Messrs. Ferry, Halbert, Logan of Pike, Robbins, Allen of Laporte, Lee of Jefferson and McClure.

ON ENROLLED BILLS.

Messrs. Conner, Hiatt and Helwig.

ON ENGROSSED BILLS.

Messrs. Montague, Kelly and Allen of Putnam.

ON FEDERAL RELATIONS.

Messrs. Gorman, Saffer, Burton, Smith, Wright, Rich and Hannah.

ON PUBLIC EXPENDITURES.

Messrs. Moore, Norvell, Woolman, Barrett, Garrett, Spicknall, and Hostetter.

Joint Committees.

ON PUBLIC BUILDINGS.

Messrs. Turman, Hurlbut and Harrison.

ON CANAL FUND.

Messrs. Engle, Nutter and McClure.

ON STATE LIBRARY.

Messrs. James, Kerr and Hardin.

The Senate then came into the Hall of the House of Representatives, and took their seats on the right of the Speaker's chair; the President of the Senate on the right of the Speaker; when,

The Speaker of the House of Representatives, in presence of both Houses of the General Assembly, opened and published the whole of the returns of the votes given in the several counties, on the first Monday in August last, for Governor and Lieutenant Governor, of the State of Indiana; and on counting all the votes returned, it appeared therefrom, that James Whitcomb, for the office of Governor, had re-

ceived 60,787 votes, and that Samuel Bigger, for the same office, had received 58,718 votes, and for the same office, Elizur Deming received 1,630 votes. James Whitcomb having received a majority of the votes given, was by the President of the Senate, in presence of both Houses of the General Assembly of the State of Indiana, declared duly elected Governor of the State of Indiana, to serve as such for the term of three years from and after this day.

For the office of Lieutenant Governor, it appeared from the returns aforesaid, that Jesse D. Bright had received 60,982 votes, and John H. Bradley, for the same office, had received 56,681 votes, and for the same office, Stephen S. Harding had received 1,687 votes.

Jesse D. Bright having received a majority of the votes given, was by the President of the Senate, in the presence of both Houses of the General Assembly, declared duly elected Lieutenant Governor of the State of Indiana, to serve as such for the term of three years from this day.

On motion of Mr. Moore,

Resolved, That a committee of two be appointed on the part of this House, to act with a similar committee on the part of the Senate, to wait on His Excellency James Whitcomb, and the Hon. Jesse D. Bright, and inform them of their election, the first to the office of Governor, and the second to the office of Lieutenant Governor of the State of Indiana, and to ascertain of them at what time it will be their pleasure to take the oath of office.

Messrs. Moore and Simonson are appointed said committee on the part of the House.

Mr. Gregory offered for adoption the following resolution:

Resolved, That the Door-keeper of the House of Representatives be instructed to contract with the publishers of the Indiana State Journal and the Indiana State Sentinel for two copies of their respective daily papers, at a price not to exceed seventy-five cents per copy, for the use of the members of the House during the present session;

Mr. Moore moved to lay the resolution on the table;

Which did not prevail.

Mr. Dowling moved to amend said resolution by striking out "75 cents" and in lieu thereof insert "$1,50";

Which motion prevailed.

Mr. Mickle moved to amend said resolution as follows:

"That the same be subtracted from the pay of the members;"

Which did not prevail.

The question then recurred on the adoption of said resolution as amended;

And the ayes and noes having been demanded by Messrs. Moore and Foley:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Barbour, Bearss, Blakemore, Boone, Bowles, Burton, Chapman, Clark of Tippecanoe, Coffin, Cowen,

Dowling, Edmonston, Elder, Ford, Foresman, Fuller, Gilbert, Gorman, Gregory, Halbert, Hardin, Harris, Helwig, Hobbs, Hurlbut, James, Jones of Fountain, Keimer, Lee of Posey, Matheny, McAlister, McConnell, McDonald, McRae, Miller of Crawford, Miller of Vanderburgh, Mooney, Nees, O'Neal, Robbins, Roberts of Laporte, Saffer, Shelby, Smith, Spicknall, Turman, Verbrike, Woolman, and Mr. Speaker—50.

Those who voted in the negative are,

Messrs. Allen of Putnam, Athon, Barrett, Byers, Chambers, Clark of Hamilton, Conner, Cuppy, Edger, Engle, Ferry, Foley, Garrett, Handy, Hannah, Harrison, Hiatt, Hodges, Holloway, Hostetter, Hudleston, Jones of Franklin, Kelly, Kerr, Lee of Jefferson, Logan of Pike, Logan of Washington, Macy, Mickle, Montague, Montgomery, Moore, Morgan, Norvell, Nutter, Palmer, Parker, Reed, Rich, Roberts of Putnam, Seller, Simpson, Sutherland, Tevis, Williams, Williamson, Wolf and Wright—48.

So said resolution as amended was adopted.

The following message was received from the Senate by Mr. Otto, their Principal Secretary:

Mr. Speaker :

The Senate reciprocates the resolution of the House of Representatives, appointing a committee of two on the part of the House to act with a similar committee on the part of the Senate, to wait on His Excellency James Whitcomb and the Hon. Jesse D. Bright, and inform them of their election, the first to the office of Governor, and the second to the office of Lieutenant Governor of the State of Indiana, and to ascertain of them at what time it will be their pleasure to take the oath of office.

Messrs. Herriman and Mitchell are appointed a committee on the part of the Senate.

The Hon. Arza Lee, the Representative elect from the county of Posey, appeared, produced his credentials of election, and was sworn into office by the Hon. Andrew L. Robinson, Speaker of the House of Representatives, and took his seat.

Mr. Dowling offered for adoption the following resolution:

Resolved, That the committee on the judiciary be instructed to report a bill to this House, as soon as practicable, extending the time for the collection of the state and county revenue, with such provisions as may be best calculated to accommodate the tax-payers, generally, and, at the same time, secure the State from loss, by exacting new bonds from the treasurers of each county.

Mr. Bowles moved to amend so as to require said committee to enquire into the expediency ;

Which was accepted by the mover;

Then said resolution as amended was adopted.

The Speaker laid before the House the reports of the Vincennes, Evansville, Madison, Bedford, South Bend, New Albany, Lafayette, Michigan City, Lawrenceburgh, and Richmond Branch Banks, of the State of Indiana;

Which were, on motion of Mr. Bowles, referred to the committee on the State Bank.

Mr. Moore from the joint committee for that purpose, made the following report:

MR. SPEAKER:

The committee appointed on the part of this House to act with a similar committee on the part of the Senate, to wait upon James Whitcomb, Governor elect, and Jesse D. Bright, Lieutenant Governor elect, respectively, of the State of Indiana, and to know of them at what time it will be their pleasure to attend in the Hall of the House of Representatives, and take the oath of office, have performed that duty, and report that they have received for answer from those gentlemen that they will attend in the Hall of the House of Representatives at half past 2 o'clock, P. M., on this day;

On motion of Mr. Gorman,

The House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

The House met pursuant to adjournment.

On motion of Mr. Mooney,

Resolved, That a committee of two be appointed for the purpose of inviting the Judges of the supreme court to attend in the Hall of the House instanter, to witness the administration of the oath of office to the Governor and Lieutenant Governor elect, of the State of Indiana, and that seats be provided for them on the right of the Speaker's chair.

On motion of Mr. Roberts of Putnam,

Resolved, That the Senate be invited to attend in the Hall of the House of Representatives, instanter, to witness the oath of office administered to His Excellency, James Whitcomb as Governor, and the Hon. Jesse D. Bright as Lieutenant Governor, of the State of Indiana, and that seats be provided for them on the right of the Speaker's chair.

The Senate then came into the Hall of the House of Representatives, and took their seats on the right of the Speaker's chair; the President of the Senate on the right of the Speaker; when

James Whitcomb, Governor elect, and Jesse D. Bright, Lieutenant Governor elect, came in, attended by the joint committee appointed

for that purpose, who then, in presence of both Houses of the General Assembly, respectively took the oath of office, prescribed by the Constitution; which was administered by the Hon. Isaac Blackford, one of the Judges of the Supreme court; after which, His Excellency James Whitcomb, delivered the following

ADDRESS.

Fellow Citizens:

In conforming on the present occasion with a usage sanctioned by revered examples in the history of our country, of attempting the expression of my thanks for the distinguished proof of confidence with which I have been honored, language is too feeble to convey the emotions of my heart.

But if words are powerless for this object, where shall I find terms adequately expressive of my sense of the honor conferred, and of the weighty responsibility imposed, heightened as they are by the unexampled embarrassment and difficulties, in which the affairs of our beloved State are at present involved?

Conscious that the duties of the station assigned to me are far above my talents, I should wholly despair of their successful accomplishment, did I not feel, that, next to the protecting care of Providence, I can best repose in the wisdom, patriotism, and zeal of the other public functionaries provided by the Constitution and the laws, here and throughout the State, for an efficient aid and guidance, in our joint efforts for the common welfare.

Not having yet entered upon the functions confided to me—without access to the fiscal, or other archives of the State—and the regular message, enjoined by the Constitution, having already been submitted to the present Legislature by my predecessor, it is, at this time, beyond my power satisfactorily to exhibit, as indeed it would be regarded inappropriate now to submit, specific recommendations for co-ordinate action.

As the powers delegated to the Executive, however, are calculated to affect interests of vital importance to the whole people, I may be permitted, before entering upon their exercise, to give a brief view of some general principles, which in my judgment, lie at the foundation of our prosperity, and should regulate the administration of our public affairs.

Our State, in common with the rest of the Union, and especially of the western portion of it, is experiencing the distress and embarrassment consequent upon a system of over-banking, and its natural progeny, over-trading and deceptive speculation. The wealth of a community, consisting essentially in property, of which the currency is but the representative, it is evident, that an undue increase of the latter by means of a paper circulation, while it enhances the nominal

price of the former, does not really increase its substantial value.—The tendency of this state of things, is to relax the hand of industry by creating false notions of wealth, and to tempt to sudden acquisitions, by means as delusive in their results, as they are contrary to a primary law of the Author of our being.

Thus, the real wealth of a community is in fact diminished in proportion to the fictitious wealth occasioned by every undue increase of an artificial currency. These extremes, by their reciprocal action, continue to diverge, until the violated laws of production, currency, and trade, are vindicated by a re-action, ending in extensive ruin and distress.

The remedy proposed by some in such emergencies, is an increase of bank paper, one, at least, of the original causes of the evil. But, it is evident, that this could but temporarily alleviate the disease, and would itself be the potent cause of its speedy return, in a shape still more aggravated and frightful. A few may have derived advantage from such a condition of affairs, by withdrawing themselves from the vortex of speculation at a fortunate moment. But the gains of even such, are as surely the losses of others; and we now have melancholy proof, notwithstanding the contrary assurances of its friends, that such a system cannot but prove disastrous to the community as a whole. But disappointment is not the only evil consequence of a failure of deceptive plans of relief. They serve, by encouraging false hopes, to withdraw attention from what is really feasible. They tend to relax individual exertion. Nor are the consequences referred to, the worst evils found in the train of false credit, and reckless speculation. They are followed by violated faith, want of confidence, immorality, and crime. As lovers of good order, and as patriots, jealous of our good name at home and abroad, we should unitedly task our best energies for a remedy for the past, and a preventive for the future. Notwithstanding the late signal failure to secure a promised return of prosperity, and while other projects as specious as they are unsound, are, and doubtless will continue to be plausibly, and even earnestly recommended, there remains a remedy,—plain, obvious, reliable, and within the reach of all.

Our consumption having exceeded our income, the balance must be restored by a corresponding excess of our receipts over our expenses. We have been lured to the embrace of debt under the flattering guise of credit, and we can only be extricated by the joint aid of industry and economy. We should again seek the ancient land marks of frugality and republican simplicity from which too many have unwittingly strayed.

Labor is the prime source of wealth in a State. No community can prosper without it. Commerce and trade, the business of which is only to exchange the products of the industry of one place for those of another, highly advantageous as they are to a community, cannot exist without the life-sustaining breath of labor. All callings, therefore, governed by a provident forecast, and a wise estimate of their truest interests, owe to it their countenance and respect.

It is gratifying to see from recent indications, that these opinions are gaining ground in unexpected quarters. This should serve as an encouragement to the advocates of Truth under adverse circumstances, proving, as it does, that sooner or later, her rights will be vindicated, and her supremacy acknowledged.

Our position, soil, and climate, as well as the habits of our people, all point to that branch of labor which is devoted to agriculture, as our chief reliance for lasting wealth, and returning prosperity. This calling should rank with us, the first in respectability, as it unquestionably is the first in importance. The principal, and indeed almost the only assistance, which can be rendered to this vital interest, the removal of indirect impositions, the more dangerous and oppressive, because unseen and stealthy in their operation, is beyond the reach of State legislation. Still, something could perhaps be done by encouraging individual effort for improvement in the various branches of husbandry, and by providing for the procurement and diffusion of recent and useful intelligence upon this subject throughout the entire community. The improvements already made in this department of industry, by the unaided enterprise of some of our citizens, highly gratifying as they are, it is hoped are but an earnest of what may yet be done, when the hand of labor is unshackled and when individual emulation is excited by suitable examples.

It is to be regretted that a growing distaste exists in too many quarters against this nursery of virtue—this surest guarantee of comfort and independence—this sheet anchor of our common prosperity, as exhibited in the increasing numbers of our youth who are crowding the other professions to seek a livelihood on the accidents of human life.

The failure of the State to meet its indebtedness, has proceeded not from any want of an inclination to preserve the public faith—not from the absence of a strong desire to satisfy all just claims against it, but from what is obvious on the slightest reflection, an absolute inability, a want of physical means to accomplish the object. As an earnest of our intentions in this respect, our citizens have steadily borne, for several years past, and during a period of great depression, the imposition of heavy taxes not only to meet the ordinary expenses of the State, but for the gradual absorption of our large domestic debt existing mostly in the shape of current treasury notes. These taxes are already as onerous as can well be sustained, and a further addition would tend to defeat its own object by paralyzing industry, and discouraging immigration. The payment of the interest alone on the state debt therefore it is conceded on all hands, is beyond our power to accomplish by direct taxation.

Plans professing to look beyond our own limits and resources for relief, have been proposed, which, aside from their questionable constitutionality, an examination into all their bearings and consequences, will demonstrate to be as delusive in the end, as they are specious in appearance. The slightest reflection will satisfy any intelligent mind that no relief can be expected from other quarters, without a full equivalent direct or indirect in return. It is susceptible of proof, that

the original debt, so far from being lessened in the operation, would at last be paid by the State (if that indeed were practicable) with heavy additions.

It will be remembered, that among the causes which have led to my elevation to the office of Chief Magistrate of Indiana, assurances on my part of relief through my instrumentality, have not found a place, and it would be unjust to excite in the mind of the public creditor, or of the citizen, any false or delusive hope. Next to the discharge of our obligations, our duty should be to give a frank and explicit statement of our actual condition. It is my anxious wish, as I doubt not it is the ardent desire of every citizen who regards the character of his country, to use every practicable exertion to meet all just demands against it, and I still cherish the hope, that with slowly returning prosperity, an arrangement may yet be made touching all claims that are just and equitable, and comporting with the honor and dignity of the State. I shall be ready to co-operate with the legislature of the State in whatever may be found practicable for the attainment of this desirable object.

For reasons already advanced, I defer to a fitter occasion, the expression of my views more fully on this momentous subject, matured as I trust they may be, by a careful examination of it, after my official position shall have given me ample access to the records of the several departments of the government, and made it my constitutional duty to bestow an undivided and faithful attention to every subject that shall come within the range of executive action.

It may be added, that should our hopes of relief be postponed, and all plans for our extrication fail of the effect which every lover of his country so ardently desires, yet those, whose official position has not enabled them to recommend any scheme of relief whatever, calling for the action of our State Councils, and whose administration of our financial affairs has not, to some extent at least, been crowned with the desired success, those, I repeat, will best know how to rebuke an illiberal spirit of criticism.

It would be useless now to go into an examination of the mismanagement of some of our public agents in the negotiation of loans by which nearly four millions of our bonds were disposed of without first requiring their full value in hand as enjoined by law.

Had this sum been faithfully received, and judiciously applied towards the construction of some of the more important of our public works, the profits thence arising would have sensibly relieved our burdens.

But while this state of things is reluctantly acknowledged and deplored, it should at least serve to remind us of a remaining duty, yet clearly within our power; the observance of a rigid and systematic economy in every department of the state government. We should in this respect, imitate the same frugality which stern necessity has imposed upon the great mass of our suffering fellow citizens.

The true principles of economy in the administration of public affairs, are essentially the same as those which obtain in individual transactions. No expenditure should be incurred for official services,

or otherwise unless found necessary, or useful, and then at the lowest amount compatible with full and intrinsic value and ample ability of performance. Tested by this rule all unnecessary offices, if any are found to exist, should be abolished. The public service should in all cases not prohibited by the constitution, be confided to as few hands as may consist with its prompt and efficient performance, and public officers should be held to the strictest accountability.

Excessive legislation is an evil. The increased burdens thereby imposed upon the treasury, is but one of the evils growing out of it. The laws by frequent changes become complex, vague, and uncertain. This unfits them in a great measure, from being a known and safe rule of action in a community.

It is of the greatest importance to the welfare of the people, that the laws should be generally known, and well understood. For this purpose they should be maturely considered in their inception, and be fully tested by time and experience. This would tend greatly to insure harmony and certainty in their execution, and check a fruitful source of litigation, which tends to foment evil passions, to excite social discord, and operates as a heavy tax on the community. So strongly impressed have many been with these evil consequences, that the constitutions of several of our sister states provide for but one session of the legislature in every two years, unless in cases of unforseen emergency. No small number of our own citizens have regretted that a similar provision is not found in the constitution of this State. Without discussing the correctness of this opinion, which would be as useless as it is inappropriate, it may be remarked that the evils alleged against annual sessions by its opponents, might, in a great measure, be avoided by limiting the sessions to the shortest period actually necessary for the discharge of the public business. This remark, however is not intended to prevent a thorough scrutiny into the conduct of public servants, required alike as an act of justice to them, as well as to the people.

I cannot, on this occasion, suffer the subject of education to pass without some notice. It is a fruitful theme, and has not failed to occupy a very large space, often, however, too much upon paper. It is to be acknowledged too, that much has been done, as well as said and written upon this subject; but an immense field yet remains, with but here and there a solitary laborer. I should be most happy, if by an appeal to the country, I could arouse it to a just sense of the magnitude and importance of the subject, and excite it to a corresponding action. Encouraging advances have already been made in preparing and maturing our system, and he who would propose to revolutionize it, whould propose a measure of very doubtful utility. The action in favor of education, to be effectual and lasting, must be a combined action of the legislature and of public sentiment. The wiser course would seem to be to add to our present system, where it is deficient, improve it where it needs correction, and by a comprehensive view of our wants, our habits, our means, and our condition, to give it a more perfect adaptation.

A mind highly enlightened by knowledge, and allied to a heart imbued with the moral virtues, would, to a great extent, be unavailing to its possessor, unless accompanied with a republican self-respect, a confidence in its own powers, and a spirit of self-reliance for thought and action. Every person gifted with the right of suffrage should cherish a deep felt consciousness of the *duty* imposed upon him by the spirit of our free institutions, to examine, sift, and weigh the leading questions of public policy, the measures proposed for the common welfare, the fitness and qualifications of those aspiring to public trusts, and the conduct of those entrusted with the management of our public affairs.

Nor can I omit the expression at this time of the necessity, on the one hand, of guarding and securing by every practicable and constitutional means the right of free suffrage, and on the other, of shielding this inestimable privilege against all undue encroachment, whether exhibited in the shape of fraud, illegal voting, or lawless violence. Vain, indeed, is the establishment of our free governments, if such abuse are suffered to exist. The ballot box would, in that case, cease to reflect the will of the majority, which is the essential principle of a republican government. The forms, indeed, of our free institutions might continue to exist, but they would be destitute of all force and vitality.

Having just pledged myself to the support of the Constitution of Indiana, and the Constitution of the United States, by the most solemn of sanctions, in the presence of this assemblage of the public functionaries and of my fellow-citizens, it only remains that I should announce my intention of being governed in the discharge of my duties by confining myself strictly within the scope of the powers delegated, by regarding the affairs and interests of Indiana as the first object of my care and solicitude, and of zealously devoting my best energies to the common welfare. And I beg leave to renew the expression of my hope, that in this new and untried situation, I may receive from the co-ordinate authorities and from my fellow citizens generally, that indulgence and support, of the need of which, I am deeply conscious. But above all, I implore the guidance and protecting care of Almighty God, in whose hands are the destinies of nations, whose blessings have been so largely dispensed to us individually and collectively, and to whom we owe lasting gratitude for the past, and our fervent prayers for the future.

JAMES WHITCOMB.

The Senate then returned to their chamber.

Mr. Ferry offered for adoption the following resolution:

Resolved, That the State Printer be directed to print 2000 copies of the Inaugural Address of Governor Whitcomb, for the use of the House of Representatives.

Mr. Bowles moved to amend by striking out "2000" and insert "1000;"

Which prevailed.

Then said resolution as amended was adopted.

On motion of Mr. Simonson,

The resolution of Mr. Gorman and amendments, in relation to the election of a Sergeant-at-Arms, was taken from the table; when

Mr. Coffin moved to reconsider the vote taken on the amendment offered by Mr. Parker;

And the ayes and noes having been demanded by Messrs. Parker and Norvell:

Those who voted in the affirmative are,

Messrs. Allen of Putnam, Athon, Barbour, Boone, Bowles, Burton, Byers, Chambers, Chapman, Clark of Tippecanoe, Coffin, Cowen, Dowling, Elder, Ferry, Forseman, Fuller, Gorman, Gregory, Halbert, Handy, Hardin, Helwig, Jones of Fountain, Jones of Franklin, Keimer, Kerr, Lee of Jefferson, Macy, Matheny, McAlister, McClure, McConnell, McDonald, McRae, Miller of Crawford, Miller of Vanderburgh, Montague, Montgomery, Mooney, Nees, O'Neal, Palmer, Robbins, Roberts of Putnam, Saffer, Simonson, Smith, Spicknall, Turman, Woolman and Mr. Speaker—52.

Those who voted in the negative are,

Messrs. Allen of Laporte, Barrett, Bearss, Blakemore, Clark of Hamilton, Conner, Cuppy, Edger, Edmonston, Engle, Foley, Ford, Garrett, Gilbert, Hannah, Harris, Harrison, Hiatt, Hodges, Holloway, Hostetter, Hudleston, Hurlbut, James, Kelly, Lee of Posey, Logan of Pike, Logan of Washington, Mickle, Moore, Morgan, Norvell, Nutter, Parker, Reed, Rich, Roberts of Laporte, Seller, Shelby, Simpson, Sutherland, Tevis, Verbrike, Williams, Williamson, Wolf and Wright—47.

So said vote was reconsidered.

The question then recurring on the adoption of said amendment,

Which was decided in the negative.

The question then recurred on the adoption of Mr. Gorman's resolution;

And the ayes and noes having been demanded by Messrs. Morgan and Foley:

Those who voted in the affirmative are,

Messrs. Allen of Putnam, Athon, Barbour, Boone, Bowles, Burton, Byers, Chambers, Chapman, Clark of Tippecanoe, Coffin, Conner, Cowen, Dowling, Elder, Ferry, Forseman, Fuller, Gorman, Gregory, Halbert, Handy, Hardin, Helwig, Hodges, Hostetter, James, Jones of Fountain, Keimer, Kerr, Lee of Jefferson, Macy, Matheny, McAlister, McClure, McConnell, McDonald, McRae, Miller of Crawford, Miller of Vanderburgh, Montague, Montgomery, Mooney, Nees, Norvell, O'Neal, Robbins, Roberts of Putnam, Saffer, Simonson, Smith,

Spicknall, Tevis, Turman, Verbrike, Wolf, Woolman and Mr. Speaker—59.

Those who voted in the negative are,

Messrs. Allen of Laporte, Barrett, Bearss, Blakemore, Clark of Hamilton, Cuppy, Edger, Edmonston, Engle, Foley, Ford, Garrett, Gilbert, Hannah, Harris, Harrison, Hiatt, Holloway, Hudleston, Hurlbut, Jones of Franklin, Kelly, Lee of P., Logan of P., Logan of Washington, Moore, Morgan, Palmer, Parker, Reed, Rich, Roberts of Laporte, Seller, Shelby, Simpson, Sutherland, Williams, Williamson, and Wright—41.

So said resolution was adopted.

The House then proceeded to the election of a Sergeant-at-Arms.

Messrs. Foley and Robbins acting as tellers;

When, upon counting the first ballot, it appeared that

Archibald Lawrence received	16	votes.
Lemuel Ford "	20	"
Ezekiel McConnel "	9	"
Geo. K. Cook "	31	"
Wm. S. Roberts "	15	"
Williams "	2	"
Lamden "	3	"
Buskirk "	1	vote.
Scattering "	2	votes.

No person having received a majority of all the votes given, the House proceeded to a second balloting, when it appeared that

Mr. Lawrence received	13	votes.
Mr. Ford "	36	"
Mr. Cook "	30	"
Mr. Roberts "	16	"
Mr. Lamden "	4	"
Mr. Buskirk "	1	vote.

No person having received a majority of all the votes given, the House proceeded to a third Balloting, when it appeared that

Mr. Lawrence received	6	votes.
Mr. Cook "	28	"
Mr. Ford, "	38	"
Mr. Roberts "	26	"
Scattering	2	"

No person having received a majority of all the votes given, the House proceeded to a fourth balloting, when it appeared that

Mr. Lawrence received	1	vote.
Mr. Ford "	40	votes.
Mr. Cook "	27	"
Mr. Roberts "	31	"

No person having yet received a majority of all the votes given,

Mr. Bowles offered for adoption the following resolution:

Resolved, That the use of the Hall of the House of Representatives be granted to the Rev. Mr. Shaw, of Vincennes, this evening, for the purpose of delivering a lecture on Theology;

Which was, by consent, adopted.

Mr. Gorman moved that the House adjourn;

And the ayes and noes having been demanded by Messrs. Chapman and Gorman:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Allen of Putnam, Bearss, Blakemore, Byers, Chapman, Cuppy, Edmonston, Ferry, Foley, Ford, Fuller, Gorman, Handy, Hannah, Harrison, Helwig, Hiatt, Holloway, Hostetter, Hudleston, Hurlbut, Jones of Fountain, Jones of Franklin, Keimer, Lee of Posey, Logan of Washington, Macy, Matheny, McAlister, Miller of Crawford, Montague, Montgomery, Moore, Morgan, Norvell, Nutter, Palmer, Parker, Reed, Rich, Robbins, Roberts of Laporte, Roberts of Putnam, Simpson, Sutherland, Tevis, Turman, Williamson, Wolf, Woolman and Mr. Speaker—53.

Those who voted in the negative are,

Messrs. Athon, Barbour, Barrett, Boone, Bowles, Burton, Chambers, Clark of Hamilton, Clark of Tippecanoe, Coffin, Conner, Cowen, Dowling, Edger, Elder, Engle, Forseman, Garrett, Gilbert, Gregory, Halbert, Hardin, Harris, Hobbs, Hodges, Kelly, Kerr, Lee of Jefferson, Logan of Pike, McClure, McConnell, McDonald, McRae, Mickle, Miller of Vanderburgh, Nees, O'Neal, Saffer, Seller, Shelby, Simonson, Smith, Spicknall, Verbrike, Williams, and Wright—46.

So the House adjourned till to-morrow morning, 9 o'clock.

THURSDAY MORNING, DEC. 7, 1843.

The House met pursuant to adjournment.

The House then proceeded, as on yesterday, to the election of a Sergeant-atArms, and upon counting the fifth ballot, it appeared that

Lemuel Ford	received	25	votes.
Geo. K. Cook	"	27	"
Wm. S. Roberts	"	43	"
Buskirk	"	1	vote.

Lamden received - - - 1 vote.
Scattering - - - - - 1

No person having received a majority of all the votes given, the House proceeded to a sixth balloting, and, on counting the votes, it appeared that

Mr. Ford received - - - - 28 votes.
Mr. Cook " - - - - 25 "
Mr. Roberts " - - - - 44 "
Mr. Lawrence received - - - 1 vote.
Scattering - - - - 1 vote.

No person having received a majority of all the votes given, the House proceeded to the seventh balloting, and, on counting the votes, it appeared that

Ezekiel McConnell received - - - 18 votes.
Lemuel Ford " - - - 19 "
Geo. K. Cook " - - - 24 "
Wm. S. Roberts " - - - 39 "

No person having received a majority of all the votes given, the House proceeded to the eighth balloting, and, on counting the votes, it appeared that

Mr. McConnell received - - - 18 votes.
Mr. Ford " - - - - 12 "
Mr. Cook " - - - - 16 "
Mr. Roberts " - - - - 53 "
Mr. Buskirk " - - - 2 "

William S. Roberts having received a majority of all the votes given, was declared duly elected Sergeant-at-Arms, came forward, was sworn into office by the Hon. Andrew L. Robinson, Speaker of the House of Representatives, and thereupon entered upon the discharge of his duties.

The following message was received from the Senate by Mr. Otto, their Principal Secretary:

Mr. Speaker:

The Senate has adopted the following resolution:

Resolved, That the Senate will, the House of Representatives concurring therein, proceed on Saturday next, at the hour of 10 o'clock, A. M., to the election of a Treasurer and Auditor of State, to fill the vacancies occasioned by the expiration of the term of service of the present incumbents;

Which was, on motion of Mr. Chapman,

Laid on the table.

PETITIONS WERE PRESENTED.

By Mr. Macy, from Thomas Palmer and others, of Dearborn county, praying for an amendment of the law regulating the duty of Recorders;

Which was referred to the judiciary committee.

By Mr. Halbert, of citizens of Davis county, asking the location of a certain State road therein named;

Which was referred to a select committee of Messrs. Halbert, O'Neal and Saffer.

By Mr. Dowling, from John Tanky, praying relief as therein setforth;

Which was referred to the committee on canals and internal improvements.

By Mr. Ferry, of Samuel Read and others, praying the location of a State road therein named;

Which was referred to the committee on roads.

By Mr. Mickle, of citizens of the town of Decatur, in relation to the incorporation of the Presbyterian Church of said town;

Which was referred to the committee on corporations.

By Mr. Miller, of Alvin B. Carpenter and William Carpenter, praying the vacation of the town of Otsego;

Which was referred to the committee on claims.

By Mr. Hurlbut, of citizens of St. Joseph county, praying relief for Charles Roy;

Which was referred to a select committee of Messrs. Hurlbut, Allen of Laporte and Cowen.

By Mr. Bearss, of N. O. Ross and others, praying a revival of a certain law therein named;

Which was referred to a select committee of Messrs. Bearss, Blakemore and Ferry.

By Mr. Hannah, of David Williams and others, praying the passage of an act to more effectually prevent the disturbance of religious societies;

Which was referred to the judiciary committee.

By Mr. Athon, of M. G. C. Pile and others, in relation to fees in State cases;

Which was referred to the judiciary committee.

By Mr. Robbins, of citizens of Fulton county, praying a divorce in behalf of Gerard Braimin, from his wife Margaret;

Which was referred to the judiciary committee.

By Mr. Williams, of Bois H. French, praying a divorce from his wife Casanda;

Which was referred to the judiciary committee.

By Mr. Cuppy, of citizens of Wabash county, asking the extension of a certain act therein named, to the county of Wabash;

Which was referred to a select committee of Messrs. Cuppy, Montague, Roberts of Laporte and Bearss.

By Mr. Athon, of William Demar and others asking that certain streets and allies in the town of Charlestown might be opened;

Which was, on his motion, laid on the table.

By Mr. Engle, of J. T. Canby, praying relief;

Which was referred to the committee on claims.

By Mr. Hurlbut, of C. G. Menifield, in relation to the publishing of estray notices, and the returns of lands as delinquent;

Which was referred to the judiciary committee.

By Mr. Hobbs, of Thomas Gale, asking that certain proceedings of the Noble probate court might be legalized;

Which was referred to a select committee of Messrs. Hobbs, Cowan and Spicknall.

By Mr. Cuppy, of citizens of Kosciusko county, praying the location of a State road therein named;

Which was referred to the committee on roads.

RESOLUTIONS.

Mr. Gorman offered the following resolution:

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of making such alterations and amendments as may be thought compatible with the condition of the people in the execution law, passed at the last session of the legislature.

1st. Whether there should not be some day fixed for cessation of said law as to future contracts.

2d. Whether more than one execution ought not to be allowed in 12 months.

And such other amendments as may fix the intention of the law more clearly in regard to delivery bonds.

And on the question, shall said resolution be adopted;

It was decided in the negative.

On motion of Mr. Bearss,

The following preamble and resolution were adopted:

Whereas, the records of Miami county have been destroyed by fire,

Resolved, That a select committee of three be appointed to enquire into the expediency of re-instating them, and that said committee report by bill or otherwise.

Messrs. Bearss, Hurlbut and Norvell were appointed said committee.

On motion of Mr. Moore,

Resolved, That the committee of ways and means enquire of the the Auditor, Treasurer, and Secretary of State, and know of them the reasons why the Revision of 1842–3 has not been delivered before this time to the different counties of this State, and report the facts to this House as soon as practicable.

Mr. Wolf offered for adoption the following resolution:

Resolved, That the judiciary committee be requested to enquire in-

to the expediency of providing by law for the speedy collection of all debts contracted from and after the first day of January next, with leave to report by bill or otherwise.

Mr. Gorman moved to amend by striking out the "1st day of January next."

Which motion prevailed.

Mr. Hardin moved to lay the resolution on the table;

Which did not prevail.

Mr. Parker moved to amend said resolution as follows:

"And generally to enquire if the execution laws of this State need any amendment;

Which motion prevailed.

The question then recurring on adoption of said resolution as amended;

And the ayes and noes having been demanded by Messrs. Hodges and Clark of Hamilton:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Barrett, Blakemore, Boone, Bowles, Chambers, Chapman, Coffin, Cowen, Cuppy, Dowling, Elder, Edger, Ferry, Foley, Forseman, Gilbert, Gorman, Hannah, Hardin, Harrison, Hobbs, Holloway, Hudleston, Hurlbut, James, Jones of Fountain, Jones of Franklin, Keimer, Lee of Jefferson, Logan of Washington, Macy, Matheny, McDonald, Mickle, Montague, Mooney, Morgan, Nutter, O'Neal, Palmer, Parker, Reed, Rich, Roberts of Laporte, Safler, Seller, Shelby, Simpson, Spicknall, Tevis, Verbrike, Williamson, Wolf, Woolman, Wright and Mr. Speaker—59.

Those who voted in the negative are,

Messrs. Allen of Putnam, Athon, Barbour, Burton, Byers, Clark of Hamilton, Clark of Tippecanoe, Conner, Edmonston, Engle, Ford, Fuller, Garrett, Gregory, Halbert, Handy, Harris, Helwig, Hiatt, Hodges, Hostetter, Kelly, Kerr, Lee of Posey, Logan of Pike, McAlister, Montgomery, McClure, McConnell, McRae, Miller of Crawford, Miller of Vanderburgh, Moore, Nees, Norvell, Roberts of Putnam, Smith, Sutherland, Turman and Williams—39.

So said resolution as amended was adopted.

Mr. Edmonston moved to take from the table the message of the Senate in relation to the election of Treasurer and Auditor of State;

Which motion did not prevail.

On motion of Mr. Clark of Tippecanoe,

Resolved, That the committee of ways and means be instructed to enquire into the expediency of giving tax payers until the 1st of February next to pay their taxes, and also, to repeal that part of the existing law which provides a penalty of five per cent. for non-pay of taxes on the 1st of December.

On motion of Mr. Bowles,

The vote taken on the resolution permitting the Rev. Mr. Shaw to use the hall of the House of Representatives for the purpose of delivering a lecture on theology, was reconsidered.

Mr. Bowles moved to amend, by striking out the words "*this evening*" and insert the words "*course of six lectures* ;"

Which prevailed.

The resolution, as amended, was then adopted.

On motion of Mr. O'Neal,

Resolved, That the committee of ways and means be instructed to enquire into the expediency of so amending the present revenue law as to authorize the county treasurers to apply the ten per cent. collected for delinquencies of last year and apply the same to their taxes of the present year, and that they report by bill or otherwise.

On motion of Mr. Hardin,

Resolved, That the committee of ways and means enquire into the expediency of providing by law, that non-residents, who choose so to do, may pay their taxes into the State Treasury, and report by bill or otherwise.

Mr. Logan, of Washington, offered for adoption, the following resolution :

Resolved, That the committee of ways and means be instructed to enquire into the expediency of reducing the fees and salaries of the following officers of State, to-wit :

The Governor's salary to twelve hundred dollars, annually ; the salary of the judges of the supreme court, to twelve hundred dollars, each ; the presidents of the circuit courts, to eight hundred dollars each ; and the members of the General Assembly, to two dollars per day, each, during their attendance on the same, and ten cents for every mile they shall severally travel on the most usual road, in going to, and returning from, the General Assembly.

Mr. Chapman moved to amend said resolution as follows :

And each and every other State and county officer as near 33⅓ per cent. below their present fees and salaries, as may or can reasonably be done ;

Which was agreed to.

Mr. Blakemore moved to strike out "judges of the supreme and circuit courts ;"

Which did not prevail.

Mr. Macy moved to further amend as follows :

Including the pay of the members during the present session ;

Which prevailed.

Then the resolution, as amended, was adopted.

On motion of Mr. Mickle,

Resolved, That the committee on elections be instructed to report a bill to this House confining the voters of the counties of Adams and Jay to their respective townships.

On motion of Mr. Wright,

Resolved, That the committee of ways and means be instructed to

enquire into the expediency of providing by law, that each and every citizen of this State may discharge himself from all liability on account of the internal improvement debt of the State, by paying his ratable proportion thereof in treasury notes, state bonds, or coupons of the State. That for the purpose of ascertaining his ratable proportion, he shall be required to send a list of his taxable property, certified by the county auditor of his proper county, to the Auditor of State, who shall make out and certify the amount of state debt with which said property is chargeable, by a comparison with the whole taxable property of the State, and on his payment of said sum of money into the State Treasury, (in notes, bonds, or coupons, as aforesaid) he shall receive from the treasurer a complete acquittance and discharge from any liability for or on account of the state debt, except as to after acquired property, with leave to report by bill or otherwise.

Mr. Handy offered for adoption, the following resolution :

Resolved, That the committee on education be requested to enquire into the expediency of so amending the school law, that land lying in the respective school districts shall not be taxed for the support of common schools ;

Which was not adopted.

On motion of Mr. Athon,

Resolved, That the judiciary committee be instructed to enquire into the expediency of so amending the present execution laws, that all debts contracted after the first day of January next, which may come under the control of executors, administrators, and guardians, shall be more expeditiously collected.

On motion of Mr. Hannah,

Resolved, That the committee of ways and means be instructed to modify the existing revenue laws into road taxes in such manner as to dispense with the collection of resident road tax by the county treasurers, and provide for their collection by the proper supervisors.

On motion of Mr. Halbert,

Resolved, That the committee on roads be instructed to enquire into the expediency of so amending the road law as to leave it discretionary with the supervisors of roads to work the same when necessary ; and that householders shall be legal petitioners on application to the boards doing county business, for establishing and vacating roads, and that they report by bill or otherwise.

INTRODUCTION OF JOINT RESOLUTIONS.

Mr. Foley introduced,

No. 1. A memorial and joint resolution on the subject of the Cumberland or National road ;

Read a first and second times, the rules being suspended, when,

On motion of Mr. Chapman,

The same was referred to the committee on federal relations.

Mr. Gorman introduced,

No. 2. A joint resolution in relation to refunding the fine imposed

upon General Andrew Jackson by Judge Hall, and for other purposes ;

Read a first time and passed to a second reading on to-morrow.

INTRODUCTION OF BILLS.

Mr. Moore introduced,

No. 3. A bill reducing the fees and salaries of various officers therein mentioned ;

Read a first time and passed to a second reading on to-morrow.

Mr. Blakemore introduced,

No. 4. A bill for the relief of the citizens of the county of Cass ;

Read a first time and passed to a second reading on to-morrow.

Mr. Rich introduced,

No. 5. A bill to postpone the sale of delinquent lands and town lots for the year 1842,

Read a first time and passed to a second reading on to-morrow.

On motion,

The House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Fuller introduced,

No. 6. A bill to abolish the office of county auditor in the county of Warrick, and for other purposes,

Read a first time and passed to a second reading on to-morrow.

Mr. Palmer introduced,

No. 7. A bill to authorize Sarah Ann Lockwood, a minor, to unite with her husband, Charles U. Lockwood, in the conveyance of real estate,

Read a first time and passed to a second reading on to-morrow.

Mr. James introduced,

No. 8. A bill to organize a new county out of the county of Dearborn,

Read a first time and passed to a second reading on to-morrow.

Mr. Matheny introduced,

No. 9. A bill to repeal an act to authorize the removal of the obstruction to the free passage of the water down mud creek and the mill fork of Eel river in Morgan county, approved February 10th, 1841,

Read a first time and passed to a second reading on to-morrow.

Mr. Barbour introduced,

No. 10. A bill for the relief of Persis Hubbard, a minor, heir of Brigham Hubbard, deceased ;

Read a first time and passed to a second reading on to-morrow.

Mr. Norvell introduced,

No. 11. A bill amendatory and supplemental to an act entitled "an act regulating the salaries of Auditor, Secretary, and Treasurer of State," approved February 4th, 1841 ;

Read a first time and passed to a second reading on to-morrow.

On motion of Mr. Hobbs,

Resolved, That the judiciary committee be instructed to report a bill as soon as practicable, that shall provide against the further collection of docket fees in the circuit courts in consequence of the word *circuit* being omitted in the *printed* copy of the law of last session, abolishing docket fees in civil cases.

On motion of Mr. Hodges,

The message of the Senate in relation to the election of Auditor and Treasurer of State, was taken from the table.

Mr. Bowles moved to reciprocate said message with the following amendment :

Insert "Tuesday next" in lieu of "Saturday next ;"

Which motion prevailed.

Ordered, That the clerk inform the Senate thereof.

Mr. Chapman offered for adoption the following resolution :

Resolved, That this House will, the Senate concurring therein, proceed on Saturday next at 2 o'clock to the election of a librarian for the State Library.

On motion of Mr. Bowles,

Said resolution was laid on the table.

The previous orders of the day having been gone through with, the House, on motion, resolved itself into a committee of the whole on the Governor's message, (Mr. Edmonston in the chair) and after having gone through therewith, the committee rose, and the chairman reported the following resolutions to the House for its concurrence, to-wit :

1st. *Resolved*, That so much of the Governor's message as relates to the subject of the deaf and dumb asylum be referred to the committee on education.

2d. *R solved*, That all that part of the Governor's message pertaining to education be referred to the committee on education.

3d. *Resolved*, That all that portion of the Governor's message which pertains to arms and military affairs be referred to the committee on military affairs.

4th. *Resolved*, That so much of the Governor's message as relates to the currency be referred to the committee on federal relations.

5th. *Resolved*, That all that part of the Governor's message pertaining to the claims of foreign bond holders be referred to the committee on ways and means.

6th. *Resolved*, That so much of the Governor's message as relates to internal improvements be referred to the committee on canals and internal improvements.

7th. *Resolved*, That so much of the Governor's message as relates to the revenue be referred to the committee on ways and means.

8th. *Resolved*, That so much of the Governor's message as relates to common schools and the school fund be referred to the committee on education.

9th. *Resolved*, That so much of the Governor's message as relates to the condition of the State Bank of Indiana be referred to the committee on the State Bank.

10th. *Resolved*, That so much of the Governor's message as relates to the state prison be referred to the committee on the state prison.

11th. *Resolved*, That so much of the Governor's message as is unreferred, be referred to the committee of ways and means.

12th. *Resolved*, That so much of the Governor's message as relates to the subject of the currency and a tariff be referred to the committee on federal relations.

The House concurred generally in all the resolutions, and the committee discharged from the further consideration of that subject.

Mr. Rich, on leave being granted, introduced,

No. 12. A bill for the relief of Michael Fitzgibbon ;

Read a first time and passed to a second reading on to-morrow.

Mr. Parker introduced the following resolution :

Resolved, That the House will, the Senate concurring, on Saturday the 9th inst., at 10 o'clock A. M., go into the election of President Judges for the sixth, seventh, and ninth judicial circuits ;

Which was adopted.

Mr. Chapman moved to take from the table the resolution offered by him, in relation to the election of a state librarian ;

Which motion prevailed.

On motion of Mr. Gorman,

Said resolution was referred to the committee on the state library with the following instructions :

To report a bill repealing the law authorizing the election of a state librarian, and place the same in the hands of the Secretary of State, without any additional salary.

On motion,

The House adjourned until to-morrow morning 9 o'clock.

FRIDAY MORNING, DECEMBER 8th, 1843.

The House met pursuant to adjournment.

The Speaker laid before the House the report of the Branch Bank, at Terre-Haute;

Which was referred to the committee on the State Bank.

Mr. Moore gave notice that he would move to reconsider the vote taken yesterday on the resolution providing for going into the election of President Judges for the sixth, seventh and ninth judicial circuits.

PETITIONS PRESENTED.

By Mr. Blakemore, of John Watts and others of the county of Cass, on the subject of a deficiency in canal lands sold to them by the State of Indiana;

Which was referred to the committee on claims.

By Mr. Dowling, of Thomas Hall and others, praying the incorporation of a certain bridge company therein named;

Which was referred to the committee on corporations.

By Mr. Bowles, of citizens of Orange and Martin counties, on the subject of lost River;

Which was referred to a select committee of Messrs. Bowles, Halbert, Logan of Washington, Edmonston and Montgomery.

By Mr. Turman, of citizens of Sullivan county, praying the re-location of a certain State road therein named;

Which was referred to a select committee of Messrs. Turman, Williams and O'Neal.

By Mr. Saffer, of Mary Ann Mason, James Mason and Nancy Mason, praying a commissioner to be appointed to convey real estate;

Which was referred to a select committee of Messrs. Saffer, McRae and Conner.

By Mr. Bowles, of Sundry citizens of the county of Floyd, on the subject of illegal voting and fraud upon the elective franchise;

Which was referred to the committee on elections.

By Mr. Mickle, of citizens of Jay and Blackford counties, for the location of a State road from Portland, in Jay county, to Hartford, in Blackford county;

Which was referred to a select committee of Messrs. Mickle, Keimer and Ferry.

By Mr. Jones of Franklin, of citizens of White Water township in Franklin county, for the purpose of managing their own school funds.

Which was referred to the committee on education.

By Mr. Cuppy, from citizens of Whitley county, on the subject of a change in a State road therein named;

Which was referred to the committee on roads.

By Mr. Palmer, of Samuel Cook, praying a divorce from his wife Sarah;

Which was referred to the judiciary committee.

By Mr. McClure, of the school commissioner and other citizens of Scott county, praying for relief of Peter Everhart;

Which was referred to the committee on education.

By Mr. Cuppy, of Cidney Brown and others, resident citizens of Whitley county, on the subject of a divorce;

Which was referred to the committee on the judiciary.

The Speaker laid before the House the following communication, to-wit:

DOCUMENT A.

OFFICE OF INDIANA STATE SENTINEL,
December 8, 1843.

Hon. A. L. Robinson,

Speaker of the House of Representatives:

We have been informally notified of the passage, by the House of Representatives, of the following resolution, based upon a late communication of Governor Bigger:

"*Resolved*, That Messrs. George A. and J. P. Chapman be permitted to communicate to this House their reasons for publishing and putting into circulation the Governor's Message before it was formally delivered to the Legislature."

We should have earlier availed ourselves of the privilege here granted, had not the pressure of imperative business prevented.

The facts in relation to the late Message, are simply as follows:

In order to avoid *night work*, and to favor our workmen as much as possible, we desired to obtain a copy of the Message, not knowing what its length might be, at as early an hour as we could. To this end, we called on Cutler and Chamberlain, on Friday and Saturday, Dec. 1st and 2d., repeatedly; but were refused a copy upon various pretexts, some of which we had reason to regard as frivolous. We finally gave up the hope of getting one from them.

On the Sunday morning following, one of us called on John Dowling, and made application for the same favor. His reply, in substance was, that he would see Gov. Bigger, and if his consent could be obtained, we should be accommodated. As we heard nothing from Mr. Dowling on the subject, neither on that day nor the next, we concluded, of course, that our request had not been complied with. We therefore considered ourselves fully absolved from any of those special pledges of "secrecy" which we should willingly have made, and sacredly have regarded, had the favor we sought been granted.

On Monday evening, about 4 o'clock, Mr. Chamberlain, of the firm of Cutler and Chamberlain, called at our office; and *voluntarily* and

unconditionally tendered us one finished copy of the message, printed, of course, on both sides of the paper. He remarked, in substance, as he presented it:—"Here is a copy of the Governor's message: I have also left a copy at the Journal office." We replied, "that it came at so late an hour, that we cared but little about it, supposing that there was no further need of holding the message back, and that it would appear in the Journal newspaper of the next morning, we put the message in type for the State Sentinel of that morning. This was the sole motive that influenced us; and we had not the slightest disposition to treat Gov. Bigger uncourteously by so doing. There never has been any just ground, in this nor in any other case, for such an imputation against us.

Governor Bigger, in his communication, states, that "last year there were some complaints, because it was said, that good faith, on this particular, had not been kept," and he intimates that it was for this reason that he refused this year to favor us with a copy, until at so late an hour, that it was regarded as impossible for us prematurely to publish it. It is not the first time that such an imputation has been made; but if Gov. Bigger's memory had not been exceedingly treacherous, *he* never would have been guilty of applying it to us. The Governor must certainly remember, when *reminded* of it, that a little before noon on the day of the deliverey of the last year's message, he himself came into our office for the purpose of correcting certain blunders in the official copy of the message of that year. He must remember, also, if his memory is not *very* bad, that the *form* had not been put to press, but still rested on the *imposing stone* at that time.—If, therefore, he were compelled to testify reflectingly and under oath, he himself would be obliged to exonerate us from the imputation he now makes. To satisfy the House of Representatives of the truth of this, we present the certificates which follow. The first is the statement of the Postmaster at that time, Joseph M. Moore, Esq., to-wit:

A

Indianapolis, Dec. 7, 1843.

Messrs. G. A. & J. P. Chapman:

In reply to your enquiry as to the time when the Governor's message, delivered last winter, was mailed at the Indianapolis post-office, I have to state that my impressions in relation to the matter are these: That on Tuesday evening, (the second day of the session of legislature,) your, G. A. Chapman, having brought some packages to the post office to be mailed, expressed some apprehension that he would be unable to put up, in time for the mails to be closed that evening, all the papers which he desired should be sent; and that in reply, I stated that I should not insist upon closing the mails at the usual time, but if the packages could be deposited in the office at a *late* hour, which I named, they should be forwarded, and that Mr. C. could have access to the office by the private entrance after the hour of closing.

The message, I think, was published in the Sentinel dated Wednesday, but printed on Tuesday. I have no knowledge of any copies having been mailed earlier than Tuesday evening.

Respectfully,

J. M. MOORE.

The second is that of Messrs. Holt and Stephens, then, as now, clerks in the Post office:

B

Having been shown the above note of J. M. Moore, Esq., late Post master, and having been present at the time alluded to, we believe the statements to be correct.

JOSHUA F. HOLT.
CHAS. STEPHENS.

December 7, 1843.

The third is that of our then Foreman, who is now employed in the State Printing office, viz:

I was in the employment of the Messrs. Chapmans, as Foreman, sometime previous to the delivery of the first message of Governor Bigger, and during nearly his whole term of office, and can testify from my own personal observation, and the duties imposed on me by the station I held, that no copy of the paper containing the message of last winter, left the office until after its delivery by the Governor. I corrected a proof revised by the Governor himself, a few hours before its delivery. Messrs. Chapmans at all times charged me particularly to allow no one to take a copy of any message from the office previous to its delivery, and I invariably complied strictly with their commands.

CHAS. G. WARNER.

The fourth and fifth are those of others then and now employed in our office, to-wit:

I certify that I worked in Messrs. Chapman's office last winter, and that in the early part of the session, previous to the general publication of the Governor's Message, I saw Governor Bigger come in the composing room with one of the said Chapman's, and hold a conversation over the form that contained said Governor's annual message, relative, as I understood to the correction of some errors that had escaped notice in the copy from which our hands had copied. The corrections, I believe, were made as directed. I have been in Indianapolis for some years, engaged as Journeyman Printer, and although the Governor's messages have of late years been obtained rather *early*, I am very sensible that that of 1842 was withheld from general circu-

lation through their columns until it was delivered to both Houses. I believe when confidence and secrecy is expected, that the Chapmans and their workmen are as sound vessels and as little liable to leaks as any others. J. S. LINN.

We the undersigned have been employed by the Messrs. Chapmans for several years past. Our own personal recollection enables us to state that no paper containing the Governor's message of last winter was suffered to be taken from the office before Tuesday afternoon. We distinctly recollect that Governor Bigger came into the composing room on Tuesday with J. P. Chapman about noon, and pointed out some corrections which he desired should be made in his message, a copy of which, printed by the State Printers, we believe, he left, with those corrections marked; and that they were made by Mr. Warner, the Foreman. The newspaper form containing the message was not put to press till afternoon. We have each of us been charged to use diligence to see that no message, or parts of it, should be taken from the office until ordered by them ; and on last year, we feel satisfied that no papers containing the message were circulated or made known till afternoon of the day on which it was delivered.

JAMES SWAIN.
J. T. BOSWORTH.

Specifying more particularly his assumed cause of complaint, the Governor observes, that, " the abuse heretofore complained of, consisted in sending off copies of the message by the mail on the evening previous to the time of its delivery to the legislature." Distrusting us, he therefore held back the copy until he "supposed there could be no danger of its being sent off before delivery." Now we affirm, on the strength of the personal knowledge of one of us, that Gov. Bigger himself has furnished copies of his message, at least in one instance, to be sent off by mail "before delivery ;" and we can, if permitted to do so, prove the fact by other testimony as well as our own. We have no disposition to question his right to do this, or to choose his own time. But we do not see how an act can be a crime in a Democrat, which is commendable in a Whig.

The "Wabash Express" newspaper of Wednesday morning, December 7th, 1842, printed at Terre-Haute, contains the message delivered the afternoon preceding ; and of course the copy must have been mailed some two or three days before its delivery. The same paper of the present year, published on Wednesday morning last, and received in this city on Thursday evening, contains the last message of Governor Bigger, which of course must have been mailed to that place some days before we published it.

What is perfectly correct in the Messrs. Dowlings, however, may be exceedingly wrong in any body else ! We shall not pretend to decide the question, but leave it to the better discrimination and the magnanimity of the House of Representatives.

In his concluding paragraph, Governor Bigger says—"In giving out copies of my message for publication, I was doing what I always understood to be the custom in such cases, and that it was a matter of honor and good faith on the part of publishers, not to suffer a single copy to issue, until the message was delivered." The publication of a message before its delivery is thus made to appear an unprecedented affair. Facts will justify no such conclusion. We ourselves published Gov. Bigger's message of 1841, as we did the present, two or three hours before delivery. But no complaint was then made, either by the Governor, or by any one else. At that time, however, no election of State Printer was pending.

The truth is, that the spirit of enterprise and competition has led to the publication of messages at the earliest moment at which they could be obtained. The only exceptions are when honorable agreements are made to the contrary, in order to procure the accommodation of a copy at an earlier period than that of the official promulgation. Gov. Bigger admits that no such pledge was exacted. None such was given; nor would any such have been required, had we been aware of the wishes of Governor Bigger, or had we not supposed it was also to have been published by the Journal newspaper.

Trusting that these explanations will be satisfactory to the Honorable the House of Representatives, we have the honor to be, with great respect, Your obedient servants,

GEORGE A. CHAPMAN.
JACOB P. CHAPMAN.

Mr. Bowles moved that said communication be laid upon the table;

Which motion was decided in the affirmative.

Mr. Bowles moved to reconsider the vote on laying said communication on the table;

Which motion prevailed.

Mr. Bowles then withdrew his motion to lay on the table.

Mr. Parker then moved that so much of the communication of the Messrs. Chapmans as does not show their reasons for publishing the message of the Governor, this year, prior to its formal delivery by him, be rejected.

Mr. Hobbs moved to amend said motion as follows:

That the response of His Excellency the Governor and that of the Messrs. Chapmans to the resolutions of this House, touching the premature printing of His Excellency's last annual message, be filed in the archives of this House and the printing thereof in the Journal of this House be dispensed with.

On motion of Mr. Gorman,

The whole matter was laid upon the table.

On motion,

The House then adjourned until 2 o'clock, P. M.

2 *o'clock, P. M.*

The House met pursuant to adjournment.

Mr. Gorman, from the committee on ways and means, made the following report :

Mr. Speaker :

The committee on ways and means, to which was referred a resolution of this House instructing said committee to "enquire of the Auditor, Treasurer, and Secretary of State, and know of them the reason why the revision of 1842–3, has not been delivered before this time to the different counties of this State, and report the facts to this House," respectfully report, that the reasons are fully and amply given by His Excellency Governor Bigger, in his annual message.

The revisors have been busily engaged in correcting and superintending the printing, &c., and great care has been taken to prevent errors.

They would further remark that the subject of the revision does not appropriately belong to any part of the duties of this committee. The Auditor, Treasurer, and Secretary of State, *officially*, have nothing to do with the revision. Your committee ask to be discharged from any further consideration of that subject.

Said report was concurred in, and the committee discharged from the further consideration of that subject.

The Speaker laid before the House the report of the branch bank, at Fort Wayne ;

Which was referred to the committee on the state bank.

Mr. Mooney, from the committee on ways and means, made the following report :

Mr. Speaker :

The committee of ways and means, to whom was referred a resolution on the subject of individuals settling up their ratable proportion of the internal improvement debt, have had that subject under consideration, and have directed me to report it inexpedient to legislate on that subject, and ask to be discharged from the further consideration thereof.

The report was concurred in, and the committee discharged from the further consideration of that subject.

On motion of Mr. Logan of Washington,

Resolved, That the committee on roads be, and they are hereby, instructed to enquire into the expediency of repealing so much of the road law as authorizes county boards to levy a road tax on real and personal estate, with leave to report by bill or otherwise.

On motion of Mr. Miller of Crawford,

Resolved, That the committee on military affairs be required to enquire into the expediency of so amending the militia law as to repeal the first, second, and third sections of an act for the better regulation of the militia of the State of Indiana, approved February 24th, 1840, and to revive so much of an act of 1831, which had been repealed by said act, and also the propriety of the revision of the militia laws and to penalize officers according to rank—to compel them to do their duty enjoined on them by law and soldiers in like manner.

On motion of Mr. Norvell,

Resolved, That the judiciary committee enquire into the expediency of reporting a bill to this House defining the duties of county auditors.

Mr. Robbins offered for adoption the following resolution :

Resolved, That the committee on education be instructed to enquire into the expediency of repealing the law authorizing state scrip to be paid into the school funds.

The question recurring on the adoption of said resolution, it was decided in the affirmative.

On motion of Mr. Bowles,

Resolved, That the committee on canals and internal improvements be instructed to enquire into the expediency of remodelling or amending the laws regulating the New Albany and Vincennes turnpike road, with leave to report by bill or otherwise.

Mr. Simonson, on leave, made the following report :

Mr. Speaker :

The select committee, to which was referred a petition of sundry citizens of Clarke county in relation to pilots and piloting at the falls of Ohio, have had the same under consideration, and directed me to report the accompanying bill.

No. 13. A bill to amend the seventh section of the second chapter of the Revised Statutes, passed at the 27th session of the General Assembly ;

Read a first time and passed to a second reading on to-morrow.

On motion of Mr. Saffer,

Resolved, That the judiciary committee be instructed to inquire into the expediency of so amending the execution law that the property of securities on official bonds shall not sell for less than two-thirds of its appraised value, and that they report by bill or otherwise.

Mr. Dowling, of Vigo, offered the following resolution :

Resolved, That the committee of ways and means be directed to enquire into the expediency of extending the time allowed to assessors to make assessments of personal property in the several counties of this State, with leave to report by bill or otherwise ;

Which was adopted.

Mr. Simpson offered for adoption the following preamble and resolution :

Whereas, It has been supposed by some that the execution law now in force, allows *all* execution defendants to hold, as exempt from execution, personal property to the amount of one hundred and twenty-five dollars ; therefore,

Resolved, That the standing committee on the judiciary report a bill specifically confining said exemption to such execution defendants *only* as have families ;

Which was adopted.

Mr. Hurlbut offered the following resolution :

Whereas, The law providing for the abolishing of imprisonment for debt leaves it doubtful what powers justices of the peace have in issuing the writ of *capias ad respondendum* ; therefore,

Resolved, That the committee on the judiciary be instructed to bring in a bill to amend said law so as to point out the duty of justices of the peace more clearly.

Mr. Gorman moved to amend as follows :

That justices of the peace be restrained from issuing writs of *capias ad respondendum* ;

Which prevailed.

The question recurring on the adoption of said resolution as amended, was decided in the negative.

Mr. Read made the following report :

Mr. Speaker:

The committee of ways and means, to which was referred a resolution instructing said committee to modify the existing revenue laws in relation to road taxes, in such manner as to dispense with the collection of resident road tax by the county treasurers, and provide for their collection by the proper supervisors, have had the same under consideration, and directed me to report it back to the House and ask its reference to the committee on roads.

The report was concurred in, and the committee discharged from the further consideration of that subject.

On motion of Mr. Blakemore,

Resolved, That a committee of this House be appointed to inquire into the expediency of the commissioner of the Wabash and Erie canal investing in canal land for the use of the State of Indiana, all of the canal scrip that has been or may hereafter be received for tolls on the Wabash and Erie canal east of the Tippecanoe river, with leave to report by bill or otherwise.

Messrs. Blakemore, Bearss, and Ferry were appointed said committee.

On motion of Mr. Ferry,

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of so amending the laws in reference to the probate courts that the business therein be hereafter transacted by

the circuit courts, or by officers clothed with surrogate powers, or by circuit probate courts to be organized for that purpose.

On motion of Mr. Hardin,

Resolved, That the committee on ways and means, enquire into the expediency of changing the present law for the assessment of the reveenue so that each township shall elect an assessor annually, and report by bill or otherwise.

On motion of Mr. Hobbs,

Resolved, That the judiciary committee be instructed to enquire into the expediency of abolishing capital punishment, and of substituting in lieu thereof imprisonment for life.

INTRODUCTION OF JOINT RESOLUTIONS.

Mr. Foley introduced,

No. 14. A joint resolution on the subject of newspaper and pamphlet postage ;

Read a first time and passed to a second reading on to-morrow.

Mr. Barbour introduced,

No. 15. A joint resolution on the subject of the Oregon territory ;

Read a first time and passed to a second reading on to-morrow.

INTRODUCTION OF BILLS.

Mr. Edmonston introduced,

No. 16. A bill in relation to the probate courts in Dubois county;

Read a first time and passed to a second reading on to-morrow.

Mr. Wright introduced

No. 17. A bill authorizing a special term of the Switzerland circuit court ;

Read three several times (the rules being suspended) and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. McDonald introduced,

No. 18. A bill for the benefit of citizens of Lake county;

Read a first time and passed to a second reading on to-morrow.

Mr. James introduced,

No. 19. A bill to vacate a State road therein named; also,

No. 20. A bill to repeal a part of the act incorporating the Dearborn county manufacturing company;

Each of which were severally read a first time and passed to a second reading on to-morrow.

Mr. Ferry introduced,

No. 21. A bill legalizing the proceedings of the board of commismissioners of the county of Allen, at a special session thereof;

Read a first time and passed to a second reading on to-morrow.

Mr. Bowles introduced,

No. 22. A bill to authorize the transfer of bank stock in payment of saline lands;

Read a first time and passed to a second reading on to-morrow.

Mr. Borbour introduced,

No. 23. A bill to extend the jurisdiction of probate courts, and amendatory of an act entitled "an act to organize probate courts, and defining the powers and duties of executors, administrators, and guardians," approved February 17, 1838;

Read a first time and passed to a second reading on to-morrow.

Mr. Macy introduced,

No. 24. A bill to amend an act entitled "an act to incorporate the Lawrenceburgh and Napolean turnpike company," approved Feb. 18, 1840;

Read a first time and passed to a second reading on to-morrow.

Mr. Williams introduced,

No. 25. A bill to repeal an act regulating the sale of real estate by executors, administrators, and guardians, approved Feb. the 9th, 1843;

Read a first time and passed to a second reading on to-morrow.

Mr. Gorman introduced,

No. 26. A bill to repeal certain laws therein named;

Read a first time,

When Mr. Roberts of Putnam moved to reject said bill;

And on that motion, the ayes and noes were demanded by Messrs. Foley and Gregory:

Those who voted in the affirmative are,

Messrs. Allen of Putnam, Clark of Hamilton, and Roberts of Putnam—3.

Those who voted in the negative are,

Messrs. Allen of Laporte, Athon, Barbour, Barrett, Bearss, Blakemore, Boone, Bowles, Burton, Byers, Chambers, Chapman, Clark of Tippecanoe, Coffin, Conner, Cowen, Cuppy, Dowling, Edger, Edmonston, Elder, Engle, Ferry, Foley, Ford, Forseman, Fuller, Garrett, Gilbert, Gorman, Gregory, Halbert, Hannah, Hardin, Harris, Harrison, Helwig, Hiatt, Hobbs, Hodges, Holloway, Hostetter, Hudleston, Hurlbut, James, Jones of Fountain, Jones of Franklin, Keimer, Kelly, Kerr, Lee of Jefferson, Lee of Posey, Logan of Pike, Logan of Washington, Macy, Matheny, McAlister, McClure, McConnell, McDonald, McRae, Mickle, Miller of Crawford, Miller of Vanderburgh, Montague, Montgomery, Mooney, Moore, Morgan, Nees, Norvell, Nutter, O'Neal, Palmer, Parker, Reed, Rich, Robbins, Roberts of Laporte, Safler, Seller, Shelby, Simonson, Simpson, Smith, Spicknall, Sutherland, Tevis, Turman, Verbrike, Williams, Williamson, Wolf, Woolman, Wright and Mr. Speaker—97.

So said motion did not prevail.

Then said bill was ordered to a second reading on to-morrow.

Mr. Clark of Hamilton introduced,

No. 27. A bill for the relief of Curtis Mallery, Treasurer of Hamilton county;

Read a first time and passed to a second reading on to-morrow.

Mr. Matheny introduced,

No. 28. A bill for the relief of Cornelius Ferree;

Read a first time and passed to second reading on to-morrow.

And on motion,

The House adjourned till to-morrow morning, 9 o'clock.

SATURDAY MORNING, DEC. 9, 1843.

The House met pursuant to adjournment.

Mr. Moore moved to reconsider the vote, in pursuance of notice given on yesterday, providing for going into the election of President Judges of the sixth, seventh, and ninth judicial circuits.

The question then recurring, shall said vote be reconsidered?

Which was decided in the negative.

On motion of Mr. Edmonston,

Mr. Logan of Pike was added to the select committee upon a petition offered by Mr. Bowles, on yesterday, upon the subject of Lost River.

The Speaker laid before the House the following communication from His Excellency the Governor:

EXECUTIVE CHAMBER,
Dec. 8th, 1843.

To the Speaker of the House of Representatives:

SIR:—I have the honor to transmit herewith the report of M. G. Bright, Esq., Agent of State, in relation to his official operations since the last session of the legislature, to be laid before the body over which you preside.

I have the honor to be,
very respectfully,
your most ob't. ser'vt.
JAS. WHITCOMB.

Mr. Gorman moved that said report lay on the table, and that —— copies be printed for the use of this House;

Which motion prevailed.

Mr. Roberts of Putnam moved to fill said blank with "500;"
Which was adopted.

PETITIONS PRESENTED.

By Mr. Barbour, of John Nyce, a citizen of Carroll county, asking the passage of a special act authorizing him to file his bill for a divorce from his wife Agenith, before the expiration of two years;

Which was referred to the committee on the judiciary.

By Mr. Cuppy, of citizens of Kosciusko and Wabash counties, on the subject of a State road therein named;

Which was referred to the committee on roads.

REPORTS FROM STANDING COMMITTEES.

Mr. Parker, chairman of the judiciary committee, made the following report:

MR. SPEAKER:

The standing committee on the judiciary to whom was referred a resolution of the House, directing them to enquire into the expediency of extending the time for the collection of the revenue and securing the State from loss by exacting new bonds from the treasurers, have had that matter under consideration and have directed me to

REPORT,

That by the existing law, taxes are required to be paid by the first day of December, in each year, and in default of payment, the treasurers are required to levy the same, together with five per cent. damages, and the costs and charges that may accrue, by distress and sale of the goods of the delinquent.

Owing to the fact that the mass of the tax-payers in this State, do not realize the profits of the year until about the first of January, the committee are unanimously of the opinion that the penalty aforesaid for the non-payment of taxes, should not commence running prior to that time.

The committee are likewise of the opinion, and that opinion seems to be fully sustained by some recent decisions of the courts of other States, that the extension of the time for the payment of taxes above contemplated, would exonerate the securities of the treasurers from all future liability under their official bonds. Hence the change should no where take place prior to the execution of new bonds by the treasurers, duly approved by the county boards. It is believed that the legislature have no right to exact such new bonds from the existing treasurers, and if they had, the exaction of them would be attended with numerous difficulties, and is in other respects of very doubtful expediency.

To name no other difficulty, this is suggested: To adjust the liability on the conflicting bonds, there must be an interruption of the collectors, for the purpose of enabling the county boards to settle with the treasurers, and determine how far the collections had progressed. For so far the old bondsmen must be held liable. And it will at once be perceived, that this interruption should be had at a juncture when no tax is in the process of collection, by distress, for such a case would not admit of adjustment. To secure such a juncture in the collection of the taxes for any year, after the first day of December, is deemed impossible.

This is but one of many similar difficulties that might be suggested. Hence it is deemed inexpedient to the last degree to make any change of the kind to take effect prior to the expiration of the current official term of the several county treasurers throughout the State. Fortunately, this term, which is one of three years duration, expires in August next. On the first Monday in that month, each county in the State will have a treasurer to elect, who can only qualify for his station, by executing a new bond. Then is the time for the change recommended, to take place safely and without confusion. The committee therefore recommend the adoption of the bill herewith reported:

No. 29. A bill postponing the time for the payment of taxes;

Read a first time and passed to a second reading on to-morrow.

Mr. Gorman, from the committee on the judiciary, made the following report:

Mr. Speaker:

The committee on the judiciary, to which was referred the petition of sundry citizens of Clark county, on the subject of making the "State" liable for costs on a verdict of not guilty in criminal cases, your committee would remark that an allowance is now made by law for extra services to the clerks of the circuit courts of this State, and sheriffs for trouble in such cases precisely, and although hardships may yet occur, yet it would be an entire revolution in the criminal practice of the State courts, and might lead (and would in all probability) to consequences much more fatal to the public good, and as we believe the great sin of the State Legislature to be "too much legislation;" therefore we think further legislation on that subject inexpedient;

Which report was concurred in by the House, and the committee discharged from the further consideration of that subject.

Mr. Ferry, from the committee on corporations, made the following report:

Mr. Speaker:

The committee on corporations have had the petition of John H. Neevis and others, praying the incorporation of the first Presbyterian

church of Decatur under consideration, and have instructed me to report to the House the following bill:

No. 30. A bill incorporating the first Presbyterian church of Decatur;

Read a first time and passed to a second reading on to-morrow.

Mr. Halbert, from a select committee, made the following report:

Mr. Speaker :

The select committee to whom was referred a petition of sundry citizens of the county of Daviess, on the subject of a State road, have had the same under consideration and have instructed me to report the following bill:

No. 31. A bill to locate a state road in the county of Daviess;

Read a first time and passed to a second reading on to-morrow.

On motion of Mr. Garrett,

Resolved, That the committee on the judiciary be, and they are hereby instructed to enquire into the expediency of so amending the the law regulating probate courts, as to make judgments rendered by said court binding on real estate, and report by bill or otherwise as soon as practicable.

On motion of Mr. Seller,

Resolved, That the committee on roads be instructed to enquire into the expedincy of so amending the road law as to make it an indictable offence to obstruct any part of a public road within its width prescribed by law, and report to this House by bill or otherwise.

On motion of Mr. Hannah,

Resolved, That the Secretary of State be instructed to furnish immediately ten additional copies of the Revised Statutes of 1843, in half binding, for the use of the members of this House.

The following message was received from the Senate by Mr. Doran, their Assistant Secretary:

Mr. Speaker :

I am directed by the Senate to inform the House of Representatives that the Senate has passed an engrossed bill of the House, entitled:

No. 17. "An act authorizing a special term of the Switzerland circuit court," without amendment.

Mr. Simonson moved to refer the document accompanying the Governor's message, in relation to the State prison, to the committee on the State prison;

Which motion prevailed.

On motion of Mr. Spicknall,

The following preamble and resolution were adopted:

Whereas, By the 22d section of the bank charter, this legislature have the right to restrict and prohibit the issue of notes of said bank, of a less denomination than ten dollars; therefore be it,

Resolved, That the committee on the State Bank be instructed to enquire into the expediency of prohibiting the state bank of Indiana from issuing any bills or notes of a less denomination than ten dollars, and that they report by bill or otherwise.

On motion of Mr. O'Neal,

Resolved, That the committee on education be instructed to enquire into the expediency of providing by law for the purchasers of school lands to relinquish a part of their purchase, and authorizing the school commissioner to apply the moneys paid on such relinquished lands as they may wish to retain: *Provided*, That the township trustees are satified that the school lands will not suffer loss by such relinquishment, and that they report by bill or otherwise.

On motion of Mr. Morgan,

Resolved, That the committee on education be instructed to enquire into the expediency of so changing the estray law as to require the proceeds of the sales of estrays, (now paid into the county treasuries,) to be paid into the school funds for the benefit of common schools, with leave to report by bill or otherwise.

Mr. Blakemore offered for adoption the following resolution:

Resolved, That the committee on military affairs be instructed to enquire into the expediency of so amending the militia law as to exempt from military duty, all persons from other states who have or may hereafter become citizens of this state, and who, by the law of the state from which they have or may emigrate, was or may be exempt from military duty at the time of their coming into this state.

And on the question,

Shall said resolution be adopted?

It was decided in the negative.

Mr. Allen of Laporte offered the following resolution:

Resolved, That the committee on education enquire into the expediency of extending the time of payment of the principal which falls due on all school landsin the years 1844, '45 and '46, for the term of three years in each instance, by the purchaser paying the interest annually in advance.

Mr. Foley moved to amend by striking out the years 1845–6, which did not prevail.

Mr. Montague moved to amend said resolution as follows: "by requiring one-third of the principal to be paid in 1844."

On motion of Mr. Hodges,

Said resolution and pending amendment were laid on the table.

On motion of Mr. Simonson,

The vote taken on the printing of the report of the Agent of State, as communicated by his Excellency, James Whitcomb, governor of the state of Indiana, was re-considered; when,

Mr. Simonson moved that said report lay on the table, and that

five hundred copies of said report be printed, with the exception of the appendix thereto;

Which motion prevailed.

On Motion of Mr. Chapman,

Resolved, That the committee on ways and means be requested to enquire into the expediency of remitting the penalties charged against delinquents for the non-payment of taxes for the year 1840.

On motion of Mr. Matheney,

Resolved, That the judiciary committee enquire into the expediency of so amending the eleventh section of the law regulating the duties of county auditors as to prevent the opportunities of frauds on their counties, and report by bill or otherwise.

Mr. Logan of Washington, offered for adoption the following resolution:

Resolved, That the committee on education be instructed to enquire into the expediency of so amending the school law as to dispense with township trustees, and that all moneys that the several school districts are entitled to receive, shall be paid over by the school commissioners to the treasurers of the several school districts in their respective counties;

Which was not adopted.

Mr. Fuller, on leave granted, made the following report:

Mr. Speaker:

The select committee to whom was referred a petition from several citizens of the county of Warrick, on the subject of regulating the payment of tax, and extending the time, have had that subject under consideration and have directed me to report the following bill:

No. 32. A bill in relation to the duties of county treasurers, &c.

Read a first time and passed to a second reading on to-morrow.

On motion of Mr. Miller of Crawford,

Resolved, That the committee on ways and means be instructed to enquire into the expediency of so amending the laws that regulate "fees and salaries," so far as relates to witnesses in the circuit and probate courts and before justices of the peace, so as to allow said witnesses a reasonable compensation for their services, taking into consideration the distance they travel and the time they spend, to be allowed by said courts, to be taxed against the party who has a right in the matter and in justice to pay the same, and report by bill or otherwise.

On motion of Mr. Robbins,

Resolved, That the committee on education be instructed to enquire into the expediency of making the school fund of each county a *general fund* and the same to be divided amongst the several congressional townships agreeably to the number of children between five and twenty-one years of age.

On motion of Mr. Mickle,

Resolved, That the committee on public expenditures be instructed to enquire into the expediency of abolishing the office of Private Secretary to the Governor, and report by bill or otherwise.

Mr. Norvell moved to lay said resolution on the table ;

Which did not prevail.

The question recurring, shall said resolution be adopted, it was decided in the affirmative.

On motion of Mr. Holloway,

Resolved, That the judiciary committeee be authorized to inquire into the expediency of changing the law which requires lands mortgaged to the State, for money borrowed from the sinking fund, when offered for sale, to be advertised in the papers at Indianapolis, so as to require such lands to be advertised in a paper published in the county where said lands are located, if there be a paper published in such county; and if there be no paper so published, then in the paper published most contiguous to such lands, with leave to report by bill or otherwise.

On motion of Mr. Turman,

Resolved, That the committee on ways and means be requested to report at as early a day as possible the amount of good funds in the State Treasury, that the House may act understandingly in regard to fixing a certain day for the adjournment of the present legislature *sine die*.

On motion of Mr. Miller, of Vanderburgh,

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of so amending the law now in force relative to grand and petit jurors as to reduce their pay to seventy-five cents per day, and in all cases the sheriff shall summon the petit jurors from among the by-standers, and that said committee make report by bill or otherwise.

On motion of Mr. Lee, of Posey,

Resolved, That the committee on the state prison be instructed to enquire into the expediency of repealing the law appropriating two hundred and fifty dollars for preaching the gospel to the convicts in the penitentiary.

On motion of Mr. Hurlbut,

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of so amending the law abolishing imprisonment for debt, as to make it clear whether justices of the peace have, or have not, the power to issue the writ of *capias ad respondendum*.

On motion of Mr. Bearss,

Resolved, That the judiciary committee enquire into the expediency of reporting a bill so amending the present law that transcripts of judgments from justices' dockets shall hold a lien on real estate from and after said transcripts are filed in the clerk's office and until said judgment is fully paid.

On motion of Mr. Handy,

Resolved, That the committee on roads be requested to enquire into the expediency of so amending the road law that the supervisors of the respective districts shall be elected by the voters of their districts

INTRODUCTION OF BILLS.

Mr. Ferry introduced,

No. 33. A bill amendatory of the laws on the subject of estrays ;

Read a first time and passed to a second reading on to-morrow.

Mr. Fuller introduced,

No. 34. A bill regulating the boundaries of the counties of Warrick and Gibson;

Read a first time, when

Mr. Montgomery moved to reject the same ;

Which motion did not prevail.

The bill was then ordered to a second reading on to-morrow.

Mr. Huddleston introduced,

No. 35. A bill to amend an act, entitled "an act to abolish imprisonment for debt," approved January 13th, 1843 ;

Read a first time and passed to a second reading on to-morrow.

Mr. Elder introduced,

No. 36. A bill to repeal the 3d section of an act entitled "an act (approved January 20th, 1843) which provides for the reception of certain treasury notes for all debts, principal and interest due for all school funds loaned or for school lands sold ;"

Read a first time and passed to a second reading on to-morrow.

Mr. Hurlbut introduced,

No. 37. A bill to amend an act entitled "an act providing for the incorporation of towns ;

Read a first time and passed to a second reading on to-morrow.

Mr. Barrett introduced,

No. 38. A bill relating to appeals from the judgments of justices of the peace ;

Read a first time and passed to a second reading on to-morrow.

Mr. Foley introduced,

No. 39. A bill to amend an act entitled "an act to organize probate courts and defining the duties and powers of executors, administrators, and guardians, approved February 17th, 1838 ;"

Read a first time and passed to a second reading on to-morrow.

Mr. Wright introduced,

No. 40. A bill to repeal in part an act entitled "an act to provide for the reception of certain treasury notes in payment of county revenue and for other purposes, approved January 20th, 1843 ;"

Read a first time and passed to a second reading on to-morrow.

Mr. Hostetter introduced,

No. 41. A bill to provide for the establishment of an additional place of holding elections in Vermillion county ;

Read a first time and passed to a second reading on to-morrow.

Mr. Halbert introduced,

No. 42. A bill subjecting mills situate in the bed of navigable streams to taxation;

Read a first time and passed to a second reading on to-morrow.

Mr. McDonald introduced,

No. 43. A bill for the relief of settlers on canal lands;

Read a first time and passed to a second reading on to-morrow.

Mr. Norvell introduced,

No. 44. A bill to prevent the sale of lands mortgaged to the common school fund;

Read a first time and passed to a second reading on to-morrow.

Mr. Edmonston, on leave, introduced the following resolution:

Resolved, That the Treasurer of State be requested to furnish this House with what information may be in his possession, in relation to the sale of the north west quarter of section 26, in township 1 north, of range 5 west, sold as saline land under the provisions of an act approved February 19th, 1838;

Which was adopted.

Mr. Matheny, on leave granted, introduced the following resolution:

Resolved, That the committee on ways and means be instructed to examine and report to this House by what authority the present appraisement law is now in force, and report to this house whether there is any law on that subject.

Which was adopted.

ORDERS OF THE DAY.

Bills on their second reading—

No. 2. A joint resolution in relation to refunding the fine imposed upon General Andrew Jackson by Judge Hall, and for other purposes;

Read a second time;

When Mr. Parker moved to amend by striking out the word "unjust," in the eighth line;

And the ayes and noes being demanded by Messrs. Parker and Holloway,

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Barrett, Bearss, Blakemore, Clark of Hamilton, Conner, Dowling, Ferry, Foley, Ford, Forseman, Garrett, Gilbert, Gregory, Hannah, Harris, Harrison, Hiatt, Hobbs, Hodges, Holloway, Huddleston, Hurlbut, James, Keimer, Kerr, Lee of Jefferson, Lee of Posey, Miller of Vanderburgh, Montague, Morgan, Nutter, Parker, Reed, Rich, Roberts of Laporte, Seller, Shelby, Simpson, Sutherland, Tevis, Verbrike, Williamson, Wolf, and Woolman.—45.

Those who voted in the negative are,

Messrs. Allen of Putnam, Athon, Barbour, Boone, Bowles, Burton. Byers, Chambers, Chapman, Clark of Tippecanoe, Cowen, Cuppy, Edger, Edmonston, Elder, Engle, Fuller, Gorman, Halbert, Helwig, Hostetter, Jones of Fountain, Jones of Franklin, Kelly, Logan of Pike, Logan of Washington, Matheny, McAllister, McClure, McConnell, McDonald, McRae, Mickle, Miller of Crawford, Montgomery, Mooney, Moore, Nees, Norvell, O'Neall, Palmer, Robbins, Roberts of Putnam, Saffer, Simonson, Smith, Spicknall, Turman, Williams, Wright, and Mr. Speaker.—51.

So said amendment was not adopted.

And the question then recurred,

Shall said joint resolution be engrossed for a third reading?

Which was decided in the affirmative.

No. 4. A bill for the relief of the citizens of the county of Cass;

Which was read a second time, and,

On motion of Mr. Moore,

Referred to the committee of ways and means.

No. 28. A bill for the relief of Cornelius Ferree;

Read a second time, and,

On motion of Mr. Hodges,

Referred to the committee on canals and internal improvements.

No. 27. A bill for the relief of Curtis Mallory, treasurer of Hamilton county;

Which was read a second time, and,

On motion of Mr. Morgan,

Referred to the committee on ways and means.

Mr Matheny moved to reconsider the vote taken on the reference of bill No. 28;

Which motion prevailed.

The question then being,

Shall said bill be referred to the committee on canals and internal improvements?

Which was decided in the negative; and,

On motion of Mr. Norvell,

Said bill was referred to the committee on the judiciary.

No. 6. A bill to abolish the office of county auditor in the county of Warrick, and for other purposes;

Read a second time, and,

On motion,

Referred to the committee on ways and means.

No. 7. A bill to authorize Sarah Ann Lockwood, a minor, to unite with her husband, Charles U. Lockwood, in the conveyance of real estate;

Read a second time and ordered to be engrossed for a third reading on to-morrow.

No. 5. A bill to postpone the sale of delinquent lands and town lots for the year 1842;

Which was read a second time and,

On motion of Mr. Parker,

Referred to the committee on ways and means.

No. 9. A bill to repeal an act to authorize the removal of obstructions to the free passage of the water down Mud Creek, and the Mill Fork of Eel river in Morgan county, app. Feb. 10th, 1841;

Read a second time, when

Mr. Logan of ———— moved to refer it to the committee on roads;

Which did not prevail. And,

On motion,

Said bill was ordered to be engrossed for a third reading on to-morrow.

No. 8. A bill to organize a new county out of the county of Dearborn, and relocate the county seat thereof;

Which was read a second time, and,

On motion of Mr. James,

Referred to a select committee of Messrs. James, Macy, Spicknall, Hiatt, Wright, Palmer, and Jones of Franklin.

No. 10. A bill for the relief of Persis Hubbard;

Which was read a second time and ordered to be engrossed for a third reading on to-morrow.

No. 12. A bill for the relief of Michael FitzGibbon;

Which was read a second time, and,

On motion of Mr. Rich,

Referred to the committee on the judiciary.

No. 13. A bill to amend the 7th section of the second chapter of the Revised Statutes passed at the 27th session of the General Assembly;

Which was read a second time and,

On motion of Mr. James,

Referred to a select committee of Messrs. James, Simonson, and Athon.

On motion,

The House adjourned till 2 o'clock, P. M.

2 o'clock P. M

The House met pursuant to adjournment, and resumed the

ORDERS OF THE DAY.

No. 14. A joint resolution the subject of newspaper and pamphlet postage;

Which was read a second time and ordered to be engrossed for a third reading on to-morrow.

No. 15. A joint resolution on the subject of the Oregon Territory;

Which was read a second time and,

On motion of Mr. Parker,

Referred to the committee on federal relations.

No. 21. A bill legalizing the proceedings of the board of commissioners of the county of Allen at a special session thereof;

Which was read a second time and ordered to be engrossed for a third reading on to-morrow.

No. 26. A bill to repeal certain acts therein named;

Which was read a second time and,

On motion of Mr. Macy,

Referred to the committee on education.

No. 25. A bill to repeal an act regulating the sale of real estate by executors, administrators, and guardians, app. Feb. 9th, 1843;

Which was read a second time and,

On motion of Mr. Edmonston,

Referred to the committee on the judiciary.

No. 20. A bill to repeal part of an act incorporating the "Dearborn County Manufacturing Company;"

Which was read a second time, when

Mr Bowles moved to indefinitely postpone said bill;

And the ayes and noes having been demanded by Messrs. Bowles and Hurlbut:

Those who voted in the affirmative are,

Messrs. Athon, Barbour, Boone, Bowles, Burton, Byers, Chambers Chapman, Clark of Hamilton, Clark, of Tippecanoe, Edger, Cowen, Edmonston, Elder, Engle, Ferry, Fuller, Gorman, Halbert, Handy, Helwig, Hodges, Hostetter, Jones of Fountain, Jones of Franklin, Keimer, Kelly, Logan of Pike, Logan of Washington, Matheny, McAlister, McClure, McConnell, McRae, Mickle, Miller of Crawford, Montgomery, Mooney, Moore, Norvell, O'Neall, Palmer, Robbins, Rich, Roberts of Putnam, Saffer, Simonson, Smith, Spicknall, Turman, Williams, Wright, and Mr. Speaker.—53.

Those who voted in the negative are,

Messrs. Allen of Laporte, Allen of Putnam, Barrett, Bearss, Blakemore, Coffin, Conner, Dowling, Foley, Ford, Forseman, Garrett, Gilbert, Gregory, Hannah, Harris, Harrison, Hiatt, Hobbs, Holloway, Huddleston, Hurlbut, James, Kerr, Lee of J., Lee of P., Macy, McDonald, Miller of V., Montague, Morgan, Nees, Nutter, Parker, Reed, Roberts of Laporte, Seller, Shelby, Simpson, Sutherland, Tevis, Verbrike, Williamson, Wolfe, and Woolman.—45.

So said bill was indefinitely postponed.

The Speaker laid before the House the annual report of the Branch Bank at Indianapolis; which,

On motion of Mr. Hodges,

Was referred to the committee on the State Bank.

The Speaker also laid before the House the annual report of the superintendent of the state prison; which,

On motion of Mr. Edmonston,

Was referred to the committee on the state prison.

And, on motion,

The House adjourned until Monday morning, 9 o'clock.

MONDAY MORNING, DEC. 11th, 1843.

The House met pursuant to adjournment.

Mr. Gorman, on leave, introduced,

No. 45. A bill to reduce the salaries of the Governor of the State and other officers ;

Which was read a first and second times, (the rules being suspended) when

Mr. Blakemore moved to amend said bill by striking out the 3d and 4th sections thereof.

And the ayes and noes having been demanded by Messrs. Gorman and Blakemore :

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Blakemore, Bowles, Coffin, Dowling, Harrison, Hobbs, James, Macy, McDonald, Montague, Nutter, Parker' Simpson, and Tevis.—15.

Those who voted in the negative are,

Messrs. Allen of Putnam, Barbour, Athon, Barrett, Bearss, Boone, Burton, Byers, Chapman, Clark of Hamilton, Clark of Tippecanoe, Conner, Cowen, Cuppy, Edger, Edmonston, Elder, Engle, Ferry, Foley, Ford, Forseman, Fuller, Garrett, Gilbert, Gorman, Gregory, Halbert, Handy, Hannah, Harris, Helwig, Hiatt, Hodges, Holloway, Hostetter, Huddleston, Hurlbut, Jones of Fountain, Jones of Franklin, Keimer, Kelly, Kerr, Lee of Jefferson, Logan of Pike, Logan of Washington, Matheny, McAlister, McClure, McConnell, McRae, Mickle Miller of Crawford, Miller of Vanderburgh, Montgomery, Mooney,

Moore, Morgan, Nees, Norvell, O'Neal, Palmer, Read, Rich, Robbins, Roberts of Lap., Roberts of Putnam, Saffer, Seller, Shelby, Simonson, Smith, Spicknall, Sutherland, Turman, Verbrike, Williams, Williamson, Wolf, Woolman' Wright and Mr. Speaker—83.

So said motion did not prevail.

Mr. Moore moved to amend by striking out $1000 in 8th section and insert $800.

And the ayes and noes having been demanded by Messrs. Rich and Matheny :

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Allen of Putnam, Barrett, Bearss, Blakemore, Boone, Chapman, Clark of Hamilton, Clark of Tippecanoe, Coffin, Conner, Cowen, Cuppy, Dowling, Edger, Edmonston, Elder, Engle, Foley, Ford, Forseman, Fuller, Garrett, Gilbert, Halbert, Hannah, Harrison, Hiatt, Hobbs, Hodges, Holloway, Huddleston, Hurlbut, James, Jones of Fountain, Jones of Franklin, Keimer, Kelly, Kerr, Lee of Jefferson, Logan of Pike, Logan of Washington, Macy, Matheny, McAlister, McClure, McRae, Mickle, Miller of Crawford, Miller of Vanderburgh, Montague, Montgomery, Moore, Morgan, Nees, Norvell, O'Neal, Nutter, Palmer, Parker, Reed, Rich, Robbins, Roberts of Laporte, Roberts of Putnam, Saffer, Seller, Shelby, Simpson, Smith, Spicknall, Sutherland, Tevis, Turman, Verbrike, Williams, Williamson, Wolf, Woolman, Wright and Mr. Speaker.—81.

Those who voted in the negative are,

Messrs. Athon, Barbour, Bowles, Burton, Byers, Ferry, Gorman, Gregory, Handy, Hardin, Harris, Helwig, Hostetter, McConnell, McDonald, Mooney, and Simonson.—17.

So said motion was decided in the affirmative.

Mr. Blakemore moved to amend as follows :

That the bill be so amended as to reduce the pay of members of the General Assembly to two dollars per day during the whole session, and to embrace the members of the present General Assembly.

Mr. Gregory moved to amend the amendment as follows :

Strike out every thing from the bill in relation to fees of the present General Assembly.

Mr. Matheny moved the previous question ;

Which was seconded by the House.

The question then being, shall the main question be now put ?

And the ayes and noes having been demanded thereon by Messrs. Roberts of Putnam and Matheny :

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Allen of Putnam, Athon, Barbour, Barrett, Bearss, Boone, Burton, Byers, Chambers, Chapman, Clark of Hamilton, Clark of Tippecanoe, Conner, Cowen, Cuppy, Dowling, Edger, Edmonston, Elder, Engle, Ferry, Foley, Ford, Fuller, Garrett, Gilbert, Gorman, Halbert, Handy, Hannah, Hardin, Harris, Harrison, Helwig, Hiatt, Hobbs, Hodges, Hostetter, Hudleston, James, Jones of Fountain, Jones of Franklin, Keimer, Kelly, Kerr, Lee of Jefferson, Lee of Posey, Logan of Pike, Logan of Washington, Matheny, McAlister, McClure, McConnell, McRae, Mickle, Miller of Crawford, Miller of Vanderburgh, Montgomery, Mooney, Moore, Morgan, Nees, Norvell, Nutter, O'Neal, Palmer, Reed, Rich, Robbins, Roberts of Laporte, Roberts of Putnam, Seller, Saffer, Shelby, Simonson, Simpson, Smith, Spicknall, Tevis, Turman, Verbrike, Williams, Williamson, Wolf, Wright and Mr. Speaker—87.

Those who voted in the negative are,

Messrs. Blakemore, Bowles, Coffin, Forseman, Gregory, Holloway, Hurlbut, Macy, McDonald, Montague, Parker, Sutherland, and Woolman—13.

So the main question was ordered to be put.

The main question being, shall the bill be engrossed for a third reading?

And on that question, the ayes and noes were demanded by Messrs. Gorman and Edmonston:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Allen of Putnam, Athon, Barbour, Barrett, Bearss, Blakemore, Boone, Burton, Byers, Chambers, Chapman, Clark of Hamilton, Clark of Tippecanoe, Conner, Cowen, Cuppy, Dowling, Edger, Edmonston, Elder, Engle, Ferry, Foley, Ford, Forseman, Fuller, Garrett, Gilbert, Gorman, Gregory, Halbert, Handy, Hannah, Hardin, Harris, Harrison, Helwig, Hiatt, Hobbs, Hodges, Holloway, Hostetter, Huddleston, Hurlbut, James, Jones of Fountain, Jones of Franklin, Keimer, Kelly, Kerr, Lee of Jefferson, Lee of Posey, Logan of Pike, Logan of Washington, Matheny, McAlister, McClure, McConnell, McRae, Mickle, Miller of Crawford, Miller of Vanderburgh, Montgomery, Mooney, Moore, Morgan, Nees, Norvell, Nutter, O'Neal, Palmer, Reed, Rich, Robbins, Roberts of Laporte, Roberts of Putnam, Saffer, Seller, Shelby, Simonson, Simpson, Smith, Spicknall, Sutherland, Tevis, Turman, Verbrike, Williams, Williamson, Wolf, Woolman, Wright and Mr. Speaker.—94.

Those who voted in the negative are,

Messrs. Bowles, Coffin, Macy, McDonald, and Parker.—5.

So said bill was ordered to be engrossed.

Mr. Edmonston moved that the rules be further suspended, and the bill be read a third time now.

And the ayes and noes having been demanded by Messrs. Edmonston and Blakemore :

Those who voted in the affirmative are,

Messrs. Allen of Putnam, Athon, Barbour, Barrett, Bearss, Boone, Burton, Byers, Chambers, Chapman, Clark of Hamilton, Clark of Tippecanoe, Cowen, Edger, Edmonston, Elder, Engle, Ferry, Foley, Ford, Fuller, Gorman, Halbert, Handy, Hannah, Hardin, Harris, Harrison, Helwig, Hiatt, Hobbs, Hodges, Hostetter, Huddleston, Jones of Fountain, Jones of Franklin, Keimer, Kelly, Lee of Posey, Logan of Pike, Logan of Washington, Matheny, McAlister, McClure, McConnell, McRae, Mickle, Montgomery, Moore, Morgan, Nees, Norvell, Nutter, O'Neal, Palmer, Rich, Robbins, Roberts of Putnam, Saffer, Seller, Shelby, Simonson, Smith, Spicknall, Sutherland, Turman, Williams, Wolf, Wright and Mr. Speaker.—70.

Those who voted in the negative are,

Messrs. Allen of Laporte, Blakemore, Bowles, Coffin, Conner, Cuppy, Dowling, Forseman, Garrett, Gilbert, Gregory, Holloway, Hurlbut, James, Kerr, Lee of Jefferson, Macy, McDonald, Miller of Crawford, Miller of Vanderburgh, Montague, Mooney, Parker, Reed, Roberts of Laporte, Simpson, Tevis, Verbrike, Williamson, and Woolman.—30.

So said motion prevailed.

The bill was then read a third time.

The question then being, shall the bill pass ; when

Mr. Dowling moved to commit the bill to a select committee with the following instruction :

To provide against the reception of perquisites by the Secretary, Auditor, or Treasurer of State, under any and all circumstances ; and also instruct the committee to amend the bill providing that the salaries of the supreme and circuit judges shall remain as they are now arranged by law.

Mr. Edmonston moved the previous question ;

Which was not seconded by the House.

Mr. Bowles moved to amend the instructions of Mr. Dowling as follows :

And amend the bill so as to reduce the salaries of State and county officers generally.

Mr. Chapman moved the previous question;
Which was not seconded by the House.
Then Mr. Dowling accepted the amendment, as offered by Mr. Bowles to his instructions.
And before any definite action was had thereon,
On motion,
The House adjourned until 2 o'clock P. M.

2 o'clock, P. M.

The House met pursuant to adjournment,
And resumed the consideration of bill No. 45.
Mr. Edmonston called a division of the question.
The question then being, shall said bill be committed ?
And the ayes and noes having been demanded by Messrs. Norvell and Mickle :

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Athon, Bearss, Bowles, Blakemore, Coffin, Conner, Dowling, Ford, Forseman, Gregory, Hannah, Harris, Harrison, Holloway, Kerr, Macy, McDonald, Miller of Vanderburgh, Montague, Nutter, Parker, Reed, Rich, Simpson, Sutherland, Wolfe and Woolman.—30.

Those who voted in the negative are,

Messrs. Allen of Putnam, Barrett, Barbour, Boone, Burton, Byers, Chapman, Chambers, Clark of Hamilton, Clark of Tippecanoe, Cowen, Cuppy, Edger, Edmonston, Elder, Engle, Ferry, Foley, Fuller, Garrett, Gilbert, Gorman, Halbert, Handy Hiatt, Hardin, Helwig, Hobbs, Hodges, Hostetter, Huddleston, Hurlbut, James, Jones of Fountain, Jones of Franklin, Keimer, Kelly, Lee of Jefferson, Lee of Posey, Logan of Pike, Logan of Washington, Matheny, McAlister, McClure, McConnell, McRae, Mickle, Miller of Crawford, Montgomery, Mooney, Moore, Morgan, Nees, Norvell, O'Neal, Palmer, Robbins, Roberts of Laporte, Roberts of Putnam, Saffer, Seller, Shelby, Simonson, Smith, Spicknall, Tevis, Turman, Verbrike, Williams, Williamson, Wright and Mr. Speaker.—70.

So the House refused to commit said bill.
The question then recurring, shall the bill pass ?
And the ayes and noes having been demanded by Messrs. Norvell and Dowling :

Those who voted in the affirmative are,

Messrs. Allen of Putnam, Athon, Barbour, Barrett, Bearss, Blakemore, Boone, Burton, Byers, Chambers, Chapman, Clark of Hamilton, Clark of Tippecanoe, Conner, Cowen, Cuppy, Dowling, Edger, Edmonston, Elder, Engle, Ferry, Foley, Ford, Forseman, Fuller, Garrett, Gilbert, Gorman, Gregory, Halbert, Handy, Hannah, Hardin, Harris, Harrison, Helwig, Hiatt, Hobbs, Hodges, Holloway, Hostetter, Hudleston, Hurlbut, James, Jones of Fountain, Jones of Franklin, Keimer, Kelly, Kerr, Lee of Jefferson, Lee of Posey, Logan of Pike, Logan of Washington, Matheny, McAlister, McClure, McConnell, McRae, Mickle, Miller of Crawford, Miller of Vanderburgh, Montgomery, Mooney, Moore, Morgan, Nees, Norvell, Nutter, O'Neal, Palmer, Reed, Rich, Robbins, Roberts of Laporte, Roberts of Putnam, Safler, Seller, Shelby, Simonson, Smith, Simpson, Spicknall, Sutherland, Tevis, Turman, Verbrike, Williams, Williamson, Wolfe, Woolman, Wright and Mr. Speaker—93.

Those who voted in the negative are,

Messrs. Allen of Laporte, Bowles, Coffin, Macy, McDonald, Montague, and Parker—7.

So said bill passed.

Ordered, That the clerk inform the Senate thereof.

The Speaker laid before the House the report of the commissioner of the Wabash and Erie canal, east of Lafayette; and

On motion of Mr. Edmonston,

Was referred to the committee on canals and internal improvements.

The Speaker also laid before the House a pamphlet from Alexander Vattemarre, of Paris, in France, on the subject of an inter-national exchange of all that is valuable in science, literature, national history, and the fine arts; which was,

On motion of Mr. Dowling,

Referred to the committee on federal relations.

PETITIONS WERE PRESENTED.

By Mr. Edmonston, of citizens of Martin, Dubois, and Daviess counties, remonstrating against the passage of a law declaring lick creek a public high way;

Which was referred to the same select committee, to which that subject had been heretofore referred.

By Mr. Moore, of citizens of Owen county, on the subject of a State road in said county; which was,

On his motion, laid on the table;

Also, of citizens of Owen and the adjoining counties, praying relief in behalf of O'Bryient McNamer;

Which was referred to a select committee of Messrs. Moore, Nees, and Logan of Washington.

By Mr. Nees, upon the same subject;

Which was referred to the same select committee.

By Mr. Halbert, from the board of commissioners of Martin county, praying a special act to authorize the board of commissioners to make such additional allowance to the treasurer and auditor, as they may see proper;

Which was referred to a select committee of Messrs. Halbert, Forseman and Engle.

By Mr. Roberts of Putnam, of Andrew B. Denton and others, praying for a change in the law regulating the common school fund;

Which was referred to the committee on education.

By Mr. Smith, of citizens of Warrick county, upon the subject of the militia laws of the State;

Which was referred to the committee on military affairs.

By Mr. Williams, of the board of trustees of the Vincennes University, upon the subject of a certain tract of land ceded to said University; Which was,

On motion of Mr. Parker,

Laid on the table, and 200 copies ordered to be printed.

By Mr. Montague, of citizens of the county of Decatur, in relation to the collection of revenue;

Which was referred to a select committee of Messrs. Montague, Hyatt and Hostetter.

By Mr. Athon, of Joseph B. Campbell and others, of Clark county, praying the passage of a law prohibiting chevereeing;

Which was referred to the committee on the judiciary.

By Mr. James, of citizens of Franklin county, praying relief for Samuel Rockafeller, as therein named;

Which was referred to the committee on the judiciary.

By Mr. Conner, of citizens of the county of Hamilton, praying the construction of a McAdamized or turnpike road; which was,

On his motion, laid on the table;

On motion of Mr. Roberts of Putnam,

The vote taken on the reference of the report of the commissioner of the Wabash and Erie canal east of Lafayette, to the committee on canals and internal improvements, was re-considered.

The question then being,

Shall said report be referred to the committee on canals and internal improvements?

It was decided in the negative.

On motion of Mr. Simonson,

Said report was laid upon the table, and 500 copies ordered to be printed.

REPORTS FROM SELECT COMMITTEES.

Mr. Bearss, from a select committee, made the following report:

Mr. Speaker :

The select committee to whom was referred resolution of the House No. 2, relative to the destruction by fire of the records of Miami county, and who were instructed by the House to enquire into the expediency of re-instating them, have had that subject under consideration, and now report the annexed bill,, entitled "an act for the benefit of persons who are likely to suffer by the destruction of the records of Miami county by fire," and recommend its passage:

No. 46. A bill for the benefit of persons who are likely to suffer by the destruction of the records of Miami county, by fire;

Which was read a first and second times,

The rules being suspended therefor,

And ordered to be engrossed for a third reading on to-morrow.

Mr. James, from a select committee, made the following report:

Mr. Speaker:

The select committee to which was referred a bill to amend the 7th section of the 2d chapter of the Revised Statutes, passed at the last session of the General Assembly, have had the same under consideration, and have instructed me to make the following amendment, to-wit:

The words "seventy feet" wherein it occurs to be struck out, and the words "eighty feet" inserted, in which they ask the concurrence of the House.

The House concurred in the amendment of the committee, to bill

No. 13. A bill to amend the 7th section of the 2d chapter of the Revised Statutes, passed at the 27th session of the General Assembly.

The question then recurring upon the engrossment of the bill;

And the ayes and noes having been demanded by Messrs. Rich and Smith:

Those who voted in the affirmative are,

Messrs. Athon, Bowles, Burton, Coffin, Conner, Dowling, Edmonston, Elder, Fuller, Gilbert, Gorman, Hannah, Hardin, Hodges, Hostetter, James, Kerr, Mooney, Roberts of Laporte, Shelby, Tevis, Williamson and Mr. Speaker—24.

Those who voted in the negative are,

Messrs. Allen of Putnam, Barbour, Barrett, Bearss, Blakemore, Boone, Byers, Chambers, Chapman, Clark of Hamilton, Clark of Tippecanoe, Cowen, Cuppy, Edger, Engle, Ferry, Foley, Ford, Forseman, Garrett, Gregory, Huddleston, Halbert, Handy, Harris, Harrison, Helwig, Hiatt, Hobbs, Holloway, Hurlbut, Jones of Franklin, Keimer, Kelly, Lee of P., Logan of P., Logan of Washington, McAlister, McClure, McConnell, McDonald, McRae, Miller of Crawford, Miller of Vanderburgh, Montague, Montgomery, Moore, Morgan, Nees, Norvell, Nutter, O'Neal, Palmer, Parker, Reed, Rich, Robbins, Roberts of Putnam, Saffer, Seller, Simonson, Simpson, Smith, Spicknall, Sutherland, Turman, Verbrike, Williams, Wolfe, Woolman and Wright. —70.

So said bill was lost on its engrossment.

Mr. Simonson moved to reconsider the vote just taken on the engrossment of bill No. 13;

Which motion did not prevail.

Mr. Hurlbut, from a select committee, made the following report:

Mr. Speaker:

The committee to whom was referred the petition of Jno. J. Deming and others, praying for a special act in behalf of Charles Roy, have had the matter under consideration, and have instructed me to report the following bill:

No. 47. A bill for the relief of Charles Roy; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Saffer, from a select committee, made the following report:

Mr. Speaker:

The select committee to which was referred the petition of Mary Ann Mason and others, praying a commissioner to be appointed to convey real estate, have had the same under consideration, and have directed me to report the following bill, in accordance with the petition:

No. 48. A bill appointing a commissioner and authorizing him to convey certain real estate, in a case therein named;

Read a first time and passed to a second reading on to-morrow.

Mr. Conner, chairman of the committee on enrolled bills, made the following report:

M . Speaker:

The committee on enrolled bills report that they have compared the

enrolled with the engrossed bill of the House, and find the same correctly enrolled, to-wit:

No. 17. An act authorizing a special term of the Switzerland circuit court;

Whereupon the Speaker signed said aet;

Ordered, That the clerk carry the same to the Senate for the signature of the President.

On motion of Mr. Logan of Washington,

Resolved, That the committee on military affairs be, and they are hereby instructed to prepare and report a bill to this House at as early a day as possible, providing that each and every able bodied white male citizen in this state, not less than eighteen nor more than forty-five years of age, shall severally and respectively be enrolled in the militia of the state of Indiana. Also, that the committee further provide in such bill that such able bodied citizens shall be required to perform military duty four days in each and every year, to-wit: A company muster in the month of May, one battallion muster in the month of May, a company muster in the month of September, a regimental muster in the month of October, and a regimental drill muster of two days in the month of August.

On motion of Mr. Dowling,

The following resolutions were adopted:

Resolved, That the committee on ways and means be instructed to ascertain the actual annual salaries of the Secretary, Auditor, and Treasurer of State, since the 4th day of February, 1841, including perquisites, (if any,) and whether the pay of those officers has been increased in any way, beyond the sums allowed in the act approved February 4th, 1841, with directions to report the facts to the House at an early day.

Resolved, That should it appear that any perquisites, or other compensation for extra services have been received by said officers since February 4th, 1841, the said committee is hereby directed to report a bill to this House providing against the reception of such fees in any case whatsoever.

On motion of Mr. O'Neal,

Resolved, That the committee on ways and means be instructed to enquire into the expediency of reducing the state tax to ten cents on the hundred dollars, and that they report by bill or otherwise.

On motion of Mr. Bowles,

Resolved, That the committe on the judicary, be instructed to examine the law of 1843 in relation to the amount allowed to widows, and the law as in the Revised Code of 1843 upon the same subject, and if in their opinion the provisions of the Revised Code will prevail, that they report a bill allowing widows the amount of property provided by the law of 1843.

On motion of Mr. Robbins,

Resolved, That the judiciary committee be instructed to enquire into the expediency of so reorganizing probate courts that probate

circuits be organized throughout the state, provided the expense is not materially increased.

On motion of Mr. Gregory,

Resolved, That the committee on education be instructed to enquire into the expediency of making a further provision than is now allowed by law, for the education and instruction of the deaf and dumb within this state, with leave to report by bill or otherwise.

On motion of Mr. Gorman,

Resolved, That a select committee be appointed to enquire and report to this House the amount the public printing has cost the state for the past year, and what reduction can be made, if any, before any new contract or election takes place for and with state printer.

Messrs. Gorman, Simonson, and Holloway, were appointed said committee.

On motion of Mr. Rich,

Resolved, That the judiciary committee be instructed to report a bill providing against the difficulties which may grow out of changing the law regulating the duties of treasurers and collectors by requiring a bond, which will anticipate all possible legislation.

Mr. Miller of Crawford offered for adoption the following resolution:

Resolved, That the committee on agriculture be required to enquire into the expediency of so amending the revenue law for the purpose of improving the stock of horses in this state, after the following order: that each person standing a stable horse shall pay not less than five dollars tax, and two dollars and fifty cents in each additional county he may stand said horse, and that said owner or keeper of said horse shall give in said horse to the assessor or auditor of each county he may stand in, and that no person shall be permitted to stand and receive pay for any stable horse without first complying with the foregoing requisitions of this act.

Which was not adopted.

On motion of Mr. Clark of Hamilton,

Resolved, That the committee on federal relations be instructed to enquire into the expediency of memorializing Congress on the subject of granting pre-emptions to the settlers on the Miami Reserve in this state.

On motion of Mr. Moore,

Resolved, That the committe on public expenditures enquire into the expediency of reducing the pay of the clerk of the State Prison, with leave to report by bill or otherwise.

On motion of Mr. Athon,

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of so amending the sixth section of an act entitled "an act to provide for electing county and township officers," so that the return of such elections shall be made to the county auditor, with leave to report by bill or otherwise.

Mr. Norvell moved to take from the table a resolution proposing an adjournment *sine die*.

Which motion did not prevail.

INTRODUCTION OF JOINT RESOLUTIONS.

Mr. Norvell introduced,

No. 49. A joint resolution in regard to pre-emptions.

Read a first time and passed to a second reading on to-morrow.

On motion of Mr. Bowles,

The documents accompanying the Governor's message were referred to the committee on ways and means.

Mr Parker moved that the rule be suspended and that bill No. 46. A bill for the benefit of persons who are likely to suffer by the destruction of the records of Miami county by fire, be read a third time now;

Which prevailed.

So said bill was read a third time and passed.

Ordered, That the clerk inform the Senate thereof.

INTRODUCTION OF BILLS.

Mr. Hobbs introduced,

No. 50. A bill to vacate the town of Lagrange;

Which was read the first time and passed to a second reading on to-morrow.

Mr. Helwig introduced,

No. 51. A bill regulating the rates of tolls at the several water mills in this state;

Read a first time and passed to a second reading on to-morrow.

Mr. Mickle introduced,

No. 52. A bill concerning marks and brands;

Read a first time and passed to a second reading on to-morrow.

Mr. Roberts of Putnam introduced,

No. 53. A bill to repeal a certain act therein named;

Read a first time and passed to a second reading on to-morrow.

Mr. Edger introduced,

No. 54. A bill to declare the Mississinewa river a public highway;

Read a first time and passed to a second reading on to-morrow.

Mr. Halbert introduced,

No. 55. A bill to change the time of holding probate courts in Martin county;

Read a first time and passed to a second reading on to-morrow.

On motion,

The House adjourned until to-morrow morning, 9 o'clock.

TUESDAY MORNING, DEC. 12th, 1843.

The House met pursuant to adjournment.

The Speaker laid before the House the following communication, from Samuel Merrill, President of the State Bank of Indiana:

OFFICE OF THE STATE BANK OF INDIANA,
Indianapolis, December 9, 1843.

Hon. A. L. Robinson,

Speaker of the House of Representatives:

SIR:—The annual report of the Directors of the State Bank of Indiana, for the House of Representatives, was, according to law, delivered to the State Printers on Tuesday of this week, and the accompanying exhibits of the condition of the State Bank and each Branch thereof, with the salaries of officers, &c., are also this day delivered.

Very respectfully,

S. MERRILL.

Which was, on motion, referred to the committee on the State Bank.

The Speaker also laid before the House the following communication, from Geo. H. Dunn, Treasurer of State:

TREASURER'S OFFICE,
December 11, 1843.

Hon. A. L. Robinson,

Speaker of the House of Representatives:

SIR:—In reply to the resolution of the House of Representatives, adopted on the 8th inst., requesting such information as may be in the possession of the Treasurer of State, in relation to the sale of the north-west quarter of section 26, in township one, north of range five, west, I have the honor to state that there is nothing in this office showing any sale to have been made of the above tract of land; no report or payment appears to have been made by the commissioner appointed in 1838, to make sale of the same.

Your ob't. serv't.

G. H. DUNN,
Treasurer of State.

Which was referred to the committee on education.

The Speaker also laid before the House the following communication:

Hon. A. L. Robinson,

Speaker of the House of Representatives:

Herewith is a tabular statement of the condition of the Sinking Fund, and the annual report required from the commissioners, to be laid before the House, &c.,

I have the honor to be,

S. MERRILL.

Which was, on motion of Mr. Parker, laid on the table and "500" copies ordered to be printed.

PETITIONS WERE PRESENTED.

By Mr. Nees, of citizens of Clay county, for the relief of the heirs of John Talbott, late of Clay county;

Which was referred to a select committee of Messrs. Nees, Verbrike and Garrett.

By Mr. Fuller, of citizens of Warrick county, on the subject of Physicians' fees;

Which was referred to a select committee of Messrs. Fuller, Bowles and Hurlbut.

By Mr. Bearss, of citizens of the county of Miami, upon the subject of the Wabash and Erie canal;

Which was referred to a select committee of Messrs. Bearss, Ferry and Blakemore.

By Mr. Mickle, of citizens of Jay and Blackford counties, praying the location of a state road from Portland to Hartford;

Which was referred to a select committee of Messrs. Mickle, Keimer and Ferry.

Mr. Norvell, chairman of the committee on education, made the following report:

Mr. Speaker:

The committee on education to whom was referred a resolution, enquiring into the expediency of reporting a bill, authorizing the purchasers of school lands to relinquish a part of the lands purchased, and to authorize the school commissioner to apply the money paid on said lands relinquished to the payment of such lands as the purchasers wished to retain, have had the same under consideration, and direct me to report it inexpedient to legislate on that subject at this time, and wish to be discharged from its further consideration;

The report was concurred in, and the committee discharged from the further consideration of that subject.

Mr. Norvell also made the following report:

Mr. Speaker :

The committee on education to whom was referred the resolution enquiring into the expediency of so changing the "estray law" as to require the proceeds of the sales of estrays, now paid into the county treasuries, to be applied to the use and benefit of common schools, have had the same under consideration, and direct me to report the following bill and recommend its passage:

No. 56. A bill to apply all moneys arising from the sale of estrays to the use of common schools; which was

Read a first time and passed to second reading on to-morrow.

Mr. Hodges, from the committee on education, made the following report:

Mr. Speaker:

The committee on education, to whom was referred a resolution to enquire into the expediency of repealing the law authorizing State Scrip to be paid into the school fund, has had the same under consideration, and requested me to report that in their opinion it is inexpedient to legislate on that subject, and ask to be discharged from any further consideration thereof;

Which report was concurred in, and the committeee discharged from the consideration of that subject.

Mr. Simonson, chairman of the committee on the affairs of the State Prison, made the following report:

Mr. Speaker:

The committee on the affairs of the State Prison, to which was referred a resolution, directing them to enquire into the expediency of repealing the law appropriating two hundred and fifty dollars for preaching the gospel to the convicts in the penitentiary, have had the same under consideration, and have directed me to report legislation on that subject inexpedient, and ask to be discharged, &c. ;

Which report was concurred in, and the committee discharged from the consideration of that subject.

Mr. Simonson, chairman of the same committee, made the follow-report:

Mr. Speaker:

The committee on the affairs of the State Prison, to which was re-

ferred sundry documents in relation to the prison, have directed me to ask the adoption of the following resolution:

Resolved, That five hundred copies of the report of the visiter and superintendents, including the statistics and the account current of the clerk be printed for the use of the House of Representatives;

Said resolution, in the above report mentioned, was adopted by the House;

And five hundred copies of the report therein mentioned, ordered to be printed.

Mr. Cuppy, chairman of the committee on claims, made the following report:

Mr. Speaker :

The committee on claims, to whom was referred a petition of J. T. Canby, on the subject of a claim against the Messrs. Beards, contractors on the Wabash and Erie canal, have had that subject under consideration, and have directed me to report, that in the opinion of the committee, it is inexpedient to legislate on that subject, and direct the same to be reported back to the House, and ask to be discharged from further consideration of the subject;

The report was concurred in by the House, and the committee discharged from the consideration of that subject.

Mr. Chapman, chairman of the committee on roads, made the following report:

Mr. Speaker :

The committee on roads, to whom was referred a resolution requesting said committee to enquire into the expediency of so amending the road law that the supervisors of their respective districts shall be elected by the voters of their districts, have directed me to report that it is inexpedient to further legislate on that subject;

Which report was concurred in by the House, and the committee discharged from the consideration of that subject.

Mr. Chapman, chairman of the same committee, made the following report:

Mr. Speaker:

The committee on roads, to whom was referred a resolution instructing said committee to enquire into the expediency of amending the road law, so as to make it an indictable offence to obstruct any part of a public road within its width, have had that subject under consideration, and have instructed me to report that the law now in force on that subject, provides sufficiently for the case;

Which report was concurred in by the House.

Mr. Roberts of Putnam, chairman of the committee on canals and internal improvements, made the following report:

Mr. Speaker:

The standing committee on canals and internal improvements, to which was referred the petition of John Sankey, asking for damages done him by the public works, have had that subject under consideration, and directed me to report the following bill for the consideration of the House:

No. 57. A bill for the relief of John Sankey, of Vigo county;

Read a first time and passed to a second reading on to-morrow.

Mr. Halbert from a select committee, made the following report:

Mr. Speaker:

The select committee, to which was referred a petition of the board of commissioners of Martin county, praying a special act to authorize said board to make an additional allowance to the auditor and treasurer of said county, have had the same under consideration, and have instructed me to report it to be inexpedient to legislate on that subject at this time;

Which report was concurred in, and the committee discharged from the consideration of that subject.

Mr. Bearss, from a select committee, made the following report:

Mr. Speaker:

The select committee, to whom that subject was referred, have instructed me to report the following bill, entitled "an act reviving and amendatory of an act, entitled "an act for the relief of settlers on the Wabash and Erie canal lands," approved Feb. 24, 1840, and recommend its passage:

No. 58. A bill reviving and amendatory of an act, entilted "an act for the relief of the settlers on the Wabash and Erie canal lands," approved Feb. 24, 1840;

Read a first time and passed to a second reading on to-morrow.

RESOLUTIONS.

On motion of Mr. McDonald,

Resolved, That the judiciary committee, to whom was referred a resolution, No. 16, instructing that committee to report a bill abolishing the further collection of docket fees in the circuit court, in consequence of an omission, have leave to report by bill or otherwise.

On motion of Mr. Blakemore,

Resolved, That the judiciary committee be instructed to enquire into the expediency of so amending the laws of this State as to permit

Silver-Smiths to vend clocks without being required to obtain the license that is now required of clock pedlars, with leave to report by bill otherwise.

On motion of Mr. Mickle,

Resolved, That the Auditor of State be, and he is hereby requested to furnish to this House at an early day, the amount of salaries that is received by each county auditor in this State.

INTRODUCTION OF JOINT RESOLUTIONS.

Mr. Rich introduced,

No. 59. A joint resolution on the subject of reducing the salaries and pay of all officers of the General Government;

Read a first time and passed to a second reading on to-morrow.

Mr. Sutherland introduced,

No. 60. A joint resolution in relation to certain repairs on the bridge across White river, on the national road; which was,

Read a first time and passed to a second reading on to-morrow.

Mr. McDonald introduced,

No. 61. A joint resolution for a light-house at City West;

Read a first time and passed to a second reading on to-morrow.

Mr. Macy introduced,

No. 62. A joint resolution authorizing the Governor of the State of Indiana to employ some suitable person to appear in the supreme court of the United States, in defence of our appraisement and execution laws;

Read a first time and passed to a second reading on to-morrow.

Mr. Conner introduced,

No. 63. A joint resolution in relation to a road from Noblesville to Peru;

Read a first time and passed to a second reading on to-morrow.

INTRODUCTION OF BILLS.

Mr. Smith introduced,

No. 64. A bill to restrict the assessment of a poll tax, within the county of Spencer;

Read a first time and passed to a second reading on to-morrow.

Mr. Gorman introduced,

No. 65. A bill to reduce the expenses of the State Government, and for abolishing the offices of commissioner on the Wabash and Erie canal east and west of Tippecanoe:

Read a first time and passed to a second reading on to-morrow.

Mr. Huddleston introduced,

No. 66. A bill to amend an act entitled, "An act applying certain funds to purposes of education," app. Jan. 31st, 1843;

Read a first time and passed to a second reading on to-morrow.

Mr. Verbrike introduced,

No. 67. A bill granting divorces in certain cases;

Read a first time and passed to a second reading on to-morrow.

Mr. Wright introduced,

No. 68. A bill to repeal a part of an act regulating the taking up of animals going astray, and water crafts, and other articles of value adrift;

Read a first time and passed to a second reading on to-morrow.

ORDERS OF THE DAY.

No. 24. A bill to amend an act entitled "An act to incorporate the Lawrenceburgh and Napoleon Turnpike Company," approved Fed. 18th, 1840;

Read a second time and,

On motion of Mr. Macy,

Was referred to a select committee of Messrs. Montague, Hiatt, James, Macy, and Spicknall.

No. 23. A bill to extend the jurisdiction of probate courts, and amendatory of an act entitled "An act to organize probate courts, and defining the powers and duties of executors, administrators, and guardians," app. Feb. 17th, 1838;

Read a second time and,

On motion of Mr. Edmonston,

Was referred to the committee on the judiciary.

No. 16. A bill in relation to the probate courts in Dubois county;

Read a second time and ordered to be engrossed for a third reading on to-morrow.

No. 18. A bill for the benefit of the citizens of Lake county;

Read a second time, when

Mr. McDonald moved to amend by extending the provisions of said bill to the county of Porter;

Which prevailed.

The bill was then,

On motion of Mr. Foley,

Referred to the committee on the judiciary.

No. 19. A bill to vacate a state road therein named;

Which was read a second time and,

On motion of Mr. Morgan,

Was referred to the committee on roads.

No. 22. A bill to authorize the transfer of bank stock in payment of saline lands;

Read a second time and,

On motion of Mr. Parker,

Referred to the committee on the State Bank.

No. 44. A bill to prevent the sale of lands mortgaged to the common school fund;

Read a second time and,

On motion of Mr. Edmonston,

Referred to the committe on education.

No. 42. A bill subjecting mills situate in the bed of navigable streams to taxation;

Read a second time, and ordered to be engrossed for a third reading on to-morrow.

No. 41. A bill to provide for the establishment of an additional place of holding elections in Vermillion county;

Read a second time, and ordered to be engrossed for a third reading on to-morrow.

No. 40. A bill to repeal in part, an act entitled "an act to provide for the reception of certain treasury notes in payment of county revenue and for other purposes, approved January 20th, 1843;"

Read a second time, and

On motion of Mr. Edmonston,

Referred to the committee on education.

No. 43. A bill for the relief of settlers on canal lands;

Read a second time, and

On motion of Mr. Dowling,

Refferred to the committee on canals and internal improvements.

No. 39. A bill to amend and act entitled "an act to organize probate courts and defining the duties and powers of executors, administrators and guardians, approved Feb. 17th, 1838.

Read a second time, and

On motion of Mr. Hurlbut,

Referred to the judiciary committee.

No. 38. A bill relating to appeals from the judgment of justices of the peace.

Read a second time, and

On motion of Mr. O'Neall,

Said bill was indefinitely postponed.

No. 37. A bill to amend an act entitled "an act providing for the incorporation of towns;

Read a second time, when

Mr. Moore moved to refer the same to the committee on elections;

Which motion prevailed.

Mr. Gorman moved to instruct said committee to insert therein, "that the election shall be run over again;"

Which instruction was adopted.

No. 36. A bill to repeal the third section of an act entitled "an act, approved Jan. 20th, 1843," which provides for the reception of certain treasury notes for all debts, principal and interest, due for all school funds loaned, or for school lands sold;

Read a second time, and

On motion of Mr. Roberts of Putnam,

Referred to the committee on education.

No. 35. A bill to amend an act entitled "an act to abolish imprisonment for debt, approved January 13th, 1843;

Read a second time and referred to the committee on the judiciary.

No. 31. A bill to locate a state road in the county of Daviess;

Read a second time, and

On motion of Mr. Morgan,

Referred to the committee on roads.

No. 34. A bill regulating the boundaries of the counties of Warrick and Gibson;

Read a second time, when

Mr. Montgomery moved to refer said bill to the committee on the judiciary;

Which did not prevail.

The question then recurring,

Shall said bill be engrossed for a third reading?

It was decided in the affirmative.

No. 33. A bill amenditory to the laws upon tbe subject of estrays;

Read a second tiine, and

On motion of Mr. Parker,

The same was referred to the committee on the judiciary.

No. 32. A bill in relation to the duties of county treasurers, &c;

Read a second time, and

On motion of Mr. Dowling,

Was referred to the committee on ways and means.

No. 30. A bill incorporating the first Presbyterian Church of Decatur;

Read a second time;

When Mr. Rich moved to amend by adding the following section:

Sect. 3. That each member of said church shall be held individually resposible for all contracts entered into by the corporation to the amount of their private fortunes.

And the ayes and noes having been demanded by Messrs. Rich and Smith;

Those who voted in the affirmative are;

Messrs. Barbour, Boone, Chambers, Chapman, Clark of Hamilton, Clark of Tippecanoe, Cowen, Edmonston, Handy, Jones of Fountain, Kelly, Lee of Jefferson, Logan of Washington, Matheney, McConnell, McRae, McDonald, Moore, Palmer, Robbins, Roberts of Putnam, Saffer and Smith.—24.

Those who voted the negative are;

Messrs. Allen of Laporte, Allen of Putnam, Athon, Barrett, Bearss, Blakemore, Bowles, Burton, Byers, Conner, Cuppy, Dowling, Edger, Elder, Engle, Ferry, Foley, Ford, Forseman, Fuller, Garrett, Gilbert, Gorman, Gregory, Halbert, Hannah, Hardin, Harris, Harrison, Helwig, Hiatt, Hobbs, Hodges, Holloway, Hostetter, Hudleston, Hurlbut, James, Keimer, Kerr, Lee of Posey, Logan of Pike, Macy, M'Clure, Mickle, Miller of Vandurburgh, Miller of Crawford, Montague, Montgomery, Mooney, Morgan, Nees, Norvell, Nutter, O'Neall, Parker, Reed, Rich, Roberts of Laporte, Shelby, Simonson,

Simpson, Spicknall, Sutherland, Tevis, Turman, Verbrike, Williams, Williamson, Wolfe, Woolman, Wright, and Mr. Speaker.—72.

So said amendment was not adopted.

Mr. Chapman moved to amend as follows:

Provided however, That said trustees shall at no time hold for or in the name of said church, more than two acres of land;

Which did not prevail.

The question recuring,

Shall the bill be engrossed for a third reading?

It was decided in the affirmative.

On motion,

The House adjourned till 2 o'clock, P. M.

2 o'clock, P. M.

The House met.

Mr. Bowles moved a call of the House.

When the clerk proceeded to call the roll, it appeared that the absentees were Messrs. Allen of Putnam, Clark of Hamilton, Ferry, Fuller, Gilbert, Hurlbut, Jones of Fountain, Keimer, Lee of Posey, Matheny, Montague, Morgan, Rich, Roberts of Laporte, Shelby and Turman.

Messrs. Harrison and McAllister, being excused on account of ill health.

On motion of Mr. Bowles,

The further call of the House was suspended.

The House then resumed the consideration of the

ORDERS OF THE DAY.

No. 29. A bill postponing the time for the payment of taxes;

Read a second time, and

On motion of Mr. Moore,

Was referred to the committee on ways and means.

No. 55. A bill to change the time of holding probate courts in Martin county;

Read a second time and ordered to be engrossed for a third reading on to-morrow.

No. 54. A bill to declare the Mississinewa river a public highway;

Read a second time and ordered to be engrossed for a third reading on to-morrow.

No. 53. A bill to repeal a certain act therein named;

Read a second time, and

On motion of Mr. Edmonston,

Was reported to the committee on canals and internal improvements.

No. 52. A bill concerning marks and brands;

Read a second time, when

Mr. Helwig moved to amend by extending the provisions of said bill to the counties of Steuben and DeKalb;

Which amendment was adopted; then

On motion of Mr. Parker,

Said bill was referred the committee on agriculture.

No. 51. A bill regulating the rates of tolls at the several water mills in this state;

Read a second time, when

Mr. Williams moved to amend as follows; Strike out "tenth" and insert "eighth."

On motion of Hodges,

The bill and pending amendment were laid on the table.

No. 50. A bill to vacate the town of Lagrange;

Read a second time, and

On motion of Mr. Bowles,

Was referred to the committee on corporations.

No. 49. A joint resolution in regard to pre-emptions;

Read a second time, and

On motion of Mr. Chapman,

Was referred to the committee on federal relations.

No. 48. A bill appointing a commissioner and authorizing him to convey certain real estate, in a case therein named;

Read a second time, and

On motion of Mr. Edmonston,

Was referred to the committee on the judiciary.

No. 47. A bill for the relief of Charles Roy;

Read a second time, when

Mr. Foley moved to refer said bill to the committee on ways and means;

Which did not prevail; then

On motion of Mr. Bowles,

Said bill was referred to the committee on the judiciary.

No. 3. A bill reducing the fees and salaries of the various officers therein named;

Read a second time, and

On motion of Mr. Moore,

Was laid on the table.

No. 11. A bill amendatory and supplemental to an act entitled "an act regulating the salaries of Auditor, Secretary, and Treaurer of State, approved Feb. 4th, 1841;"

Read a second time, and

On motion of Mr. Moore,

Was laid on the table.

BILLS ON THEIR THIRD READING.

No. 7. A bill to authorize Sarah Ann Lockwood, a miner, to unite with her husband Charles U. Lockwood in the conveyance of real estate.

No. 9. A bill to repeal an act entitled "an act to authorize the removal of the obstructions to the free passage of the water down mud creek, and mill fork of Eel river in Morgan county, approved Feb. 10th, 1841."

No. 10. A bill for the relief of Persis Hubbard.

No. 21. A bill legalizing the proceedings of the board of commissioners of the county of Allen, at a special session thereof;

Each of which were severally read a third time and passed.

Ordered, That the clerk inform the Senate thereof.

No. 14. A joint resolution on the subject of newspaper and pamphlet postage;

Mr. Hannah moved to refer the bill to the committee on the judiciary, with the following instructions: "By recommending the reduction of postage generally;"

Which motion prevailed.

Mr. Hodges moved to reconsider the vote taken on the reference of bill No. 29 to the committee on ways and means;

Which motion prevailed.

The question then recurring on the reference of said bill to the committee on ways and means;

It was decided in the affirmative.

No. 2. A joint resolution in relation to the refunding of the fine imposed upon General Andrew Jackson, and for other purposes;

Read a third time, when

Mr. Hurlbut moved to commit the joint resolution to a select committee with the following instructions:

"Instruct said committee to separate General Jackson's fine and the proper section in regard to Wm. Cost Johnson's plan for paying the state debts;"

Mr. Edmonston called for a division of the question.

The question then being,

Shall the joint resolution be committed?

And the ayes and noes having been demanded by Messrs. Roberts of Putnam and Norvell,

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Barrett, Bearss, Blakemore, Chambers, Clark of Hamilton, Coffin, Conner, Dowling, Ferry, Foley, Ford, Forseman, Garret, Gilbert, Gregory, Hannah, Harris, Harrison, Hiatt, Hobbs, Hodges, Holloway, Huddleston, Hurlbut, James, Kerr, Lee of Jefferson, McDonald, Miller of Vanderburgh, Montague, Morgan, Nutter, Parker, Reed, Rich, Roberts of Laporte, Seller, Shelby, Simpson, Smith, Sutherland, Tevis, Verbrike, Williamson, Wolfe and Woolman.—47.

Those who voted in the negative are,

Messrs. Allen of Putnam, Athon, Boone, Bowles, Burton, Byers, Chapman, Clark of Tippecanoe, Cowen, Cuppy, Edger, Edmonston, Elder, Engle, Fuller, Gorman, Halbert, Handy, Hardin, Helwig, Hostetter, Jones of Fountain, Jones of Franklin, Keimer, Kelly, Logan of Pike, Logan of Washington, Macy, Matheny, McClure, McConnell, McRae, Mickle, Miller of Crawford, Montgomery, Mooney, Moore, Nees, Norvell, O'Neal, Palmer, Robbins, Roberts of Putnam, Saffer, Simonson, Spicknall, Turman, Williams, Wright and Mr. Speaker.—50.

So the House refused to commit.

The question then recurring upon the passage of said joint resolution,

And the ayes and noes having been demanded by Messrs. Gorman and Foley :

Those who voted in the affirmative are,

Messrs. Allen of Putnam, Athon, Barbour, Boone, Bowles, Burton, Byers, Chambers, Chapman, Clark of Tippecanoe, Cowen, Cuppy, Edger, Edmonston, Elder, Engle, Fuller, Gorman, Halbert, Handy, Hardin, Helwig, Hostetter, Jones of Fountain, Jones of Franklin, Keimer, Kelly, Logan of Pike, Logan of Washington, Macy, Matheny, McClure, McConnell, McDonald, McRae, Mickle, Miller of Crawford, Montgomery, Mooney, Moore, Nees, Norvell, O'Neal, Robbins, Roberts of Putnam, Saffer, Simonson, Spicknall, Turman, Williams, Wright and Mr. Speaker.—52.

Those who voted in the negative are,

Messrs. Allen of Laporte, Bearss, Blakemore, Barrett, Clark of Hamilton, Coffin, Conner, Dowling, Foley, Forseman, Ford, Garret, Gilbert, Gregory, Hannah, Harris, Harrison, Hiatt, Hobbs, Hodges, Holloway, Huddleston, Hurlbut, James, Kerr, Lee of Jefferson, Miller of Vanderburgh, Montague, Morgan, Nutter, Parker, Reed, Rich, Roberts of Laporte, Seller, Shelby, Simpson, Smith, Sutherland, Tevis, Verbrike, Williamson, Wolfe and Woolman.—44.

So said joint resolution passed.

Ordered, That the Clerk inform the Senate thereof.

The following message was received from the Senate by Mr. Otto, their Principal Secretary:

Mr. Speaker :

The Senate has passed an engrossed joint resolution thereof,

No. 3. A joint resolution on the subject of improving the navigation of the Misssisippi, Ohio, and Wabash rivers.

Also, an engrossed bill thereof, to-wit :

No. 7. An act authorizing the several courts of Tippecanoe county to be holden in such place as herein specified during the erection of a new court house in said county ;

In which I am instructed by the Senate respectfully to ask the concurrence of the House of Representatives.

Joint resolution No. 3, mentioned in said message, was read a first time and passed to a second reading on to-morrow.

Engrossed bill No. 7, mentioned in said message, was read a first and second times (the rules being suspended therefor) and referred to the judiciary committee.

Mr. Clark of Hamilton moved to reconsider the vote upon which bill No. 38 was indefinitely postponed ;

Which motion did not prevail.

The following message was received from the Senate, by Mr. Otto, their Principal Secretary :

Mr. Speaker :

The Senate has passed engrossed bill of the Senate,

No. 5. An act relative to a certain state road in the county of Elkhart ;

In which the concurrence of the House of Representatives is respectfully requested.

Engrossed bill No. 5, of the Senate, mentioned in the above message, was read a first time and passed to a second reading on to-morrow.

The following message was received from the Senate :

Mr. Speaker :

The Senate has passed a joint resolution of the Senate, to-wit :

No. 6. A joint resolution in relation to the completion of a harbor at Michigan city ;

In which the concurrence of the House of Representatives is respectfully requested.

Joint resolution No. 6, mentioned in the above message, was read three several times (the rules being suspended therefor) and passed.

Ordered, That the Clerk inform the Senate thereof.

The following message was received from the Senate by Mr. Otto their Principal Secretary :

Mr. Speaker :

The Senate has passed the following engrossed bill of the Senate,

No. 12. An act to correct the plat of the town of Enochsburgh in Franklin county ;

In which the concurrence of the House of Representatives is respectfully requested.

Engrossed bill of the Senate No. 12, mentioned in the above message, was read a first time and passed to a second reading on to-morrow.

Mr. Foley, on leave granted, introduced,

No. 69. A joint resolution on the subject of the annexation of Texas to the United States ;

Read a first time ; when,

Mr. Gorman moved to reject said joint resolution,

And the ayes and noes having been demanded by Messrs. Elder and Smith :

Those who voted in the affirmative are,

Messrs. Allen of Putnam, Athon, Barbour, Blakemore, Boone, Burton, Byers, Chambers, Cowen, Cuppy, Engle, Edger, Edmonston, Elder, Ferry, Fuller, Gorman, Halbert, Handy, Hardin, Helwig, Jones of Fountain, Keimer, Kelly, Lee of Jefferson, Logan of Pike, Logan of Washington, Matheny, McClure, McConnell, McDonald, McRae, Miller of Crawford, Miller of Vanderburgh, Montgomery, Mooney, Moore, Nees, Norvell, O'Neal, Palmer, Parker, Robbins, Roberts of Putnam, Saffer, Seller, Simonson, Spicknall, Turman, Williams, Wright and Mr. Speaker.—51.

Those who voted in the negative are,

Messrs. Allen of Laporte, Barrett, Bearss, Bowles, Chapman, Clark of Hamilton, Clark of Tippecanoe, Coffin, Conner, Dowling, Foley, Ford, Forseman, Garrett, Gilbert, Gregory, Hannah, *H*arris, *H*arrison, *H*iatt, *H*obbs, *H*odges, *H*olloway, *H*uddleston, *H*urlbut, James, Jones of Franklin, Kerr, Macy, Mickle, Montague, Morgan, Nutter, Reed, Rich, Roberts of Laporte, Shelby, Simpson, Smith, Sutherland, Tevis, Verbrike, Williamson, Wolfe and Woolman.—45.

So said joint resolution was rejected.

Mr. Gorman, on leave granted, introduced,

No. 70. A bill to repeal the law authorizing the election of Prosecuting Attorneys by the people;

Read a first time ; when,

Mr. Moore moved to reject said bill,

And the ayes and noes having been demanded by Messrs. Gorman and Moore :

Those who voted in the affirmative are,

Messrs. Allen of Putnam, Athon, Blakemore, Bowles, Burton, Byers, Chambers, Clark of *H*amilton, Coffin, Conner, Edmonston, Elder, Foley, Ford, Forseman, Garrett, Gilbert, *H*andy, *H*annah, *H*arrison, *H*iatt, *H*obbs, *H*odges, *H*uddleston, *H*urlbut, Jones of Fountain, Kelly, Kerr, Logan of Pike, Logan of Washington, Macy,

McClure, McConnell, McDonald, McRae, Miller of Crawford, Miller of Vanderburgh, Mooney, Moore, Norvell, Nutter, O'Neal, Palmer, Reed, Rich, Robbins, Saffer, Seller, Shelby, Simpson, Smith, Spicknall, Sutherland, Turman, Williamson, Williams, Wolfe, Woolman, Wright and Mr. Speaker.—61.

Those who voted in the negative are,

Messrs. Allen of Laporte, Barbour, Boone, Chapman, Clark of Tippecanoe, Cowen, Cuppy, Dowling, Edger, Engle, Ferry, Gorman, Gregory, *H*albert, *H*ardin, *H*arris, *H*elwig, Holloway, James, Jones of Franklin, Keimer, Lee of Jefferson, Matheny, Mickle, Montague, Morgan, Nees, Parker, Roberts of Laporte, Roberts of Putnam, Simonson, Tevis and Verbrike.—33.

So said bill was rejected.

And, on motion,

The House adjourned till to-morrow morning, 9 o'clock.

WEDNESDAY MORNING, DEC. 13th, 1843.

The House met pursuant to adjourment.

PETITIONS WERE PRESENTED.

By Mr. Mickle,

Of citizens of Jay and Blackford counties, for a state road therein named ;

Which was referred to a select committee of Messrs. Mickle, Keimer, and Ferry.

By Mr. Nees,

Of William D. Farly and others, asking relief of the justices of the peace of Clay county ;

Which was referred to a select committee of Messrs. Nees, Hardin, and Macy.

By Mr. Kerr,

Of citizens of Vigo county, on the subject of a state road therein named ;

Which was referred to the committee on roads.

By Mr. Jones of Fountain,

Of the county commissioners of Fountain county, asking the repeal of the law fixing the salary of the auditor of Fountain county, approved February 13th, 1843 ;

Which was referred to a select committee of Messrs. Jones of Fountain, Shelby, and Gregory.

By Mr. Logan of Pike,

Of the county commissioners of Pike county, in relation to the school fund ;

Which was referred to the committee on education.

REPORTS FROM STANDING COMMITTEES.

Mr. Barbour, chairman of the committee on elections, made the following report :

Mr. Speaker :

The committee on elections, to whom was referred the memorial of sundry citizens of Floyd county, praying for the passage of a law to prevent frauds at elections, have had the same under consideration and have directed me to report the following bill :

No. 71. A bill to preserve the purity of elections in Floyd county ;

Read a first time and passed to a second reading on to-morrow.

Mr. Hobbs, from the committee on elections, made the following report :

Mr. Speaker :

The committee on elections, to whom was referred the resolution of the House, No. 9, have instructed me to report the following bill :

No. 72. A bill regulating elections in the counties of Adams and Jay ;

Read a first time and passed to a second reading on to-morrow.

Mr. Bowles, chairman of the committee on ways and means, made the following report :

Mr. Speaker :

The committee of ways and means, to which was referred bill of the House,

No. 27. For the relief of Curtis Mallery, treasurer of Hamilton county, have had that subject under consideration, and directed me to report the same back to the House and respectfully recommend its passage, and ask to be discharged from the further consideration of that subject.

The question being on the concurrence of the above report, the House refused to concur.

Mr. Gorman moved to reconsider the vote just taken on the concurrence of the above report ;

Which motion prevailed.

The question then recurring, will the House concur in the report of the committee ?

Which was decided in the affirmative.

And bill No. 27, mentioned in said report, was ordered to be engrossed for a third reading on to-morrow.

Mr. James, from the committee on ways and means, made the following report :

Mr. Speaker :

The committee of ways and means, to which was referred a resolution of this House inquiring into the expediency of changing the present law for the assessment of the revenue, so that each township shall elect an assessor, have had the same under consideration, and have instructed me to report, that it is inexpedient to legislate on that subject, in which they ask the concurrence of the House.

Said report was concurred in by the House, and the committee discharged from the consideration of that subject.

Mr. Bowles, chairman of the committee of ways and means, made the following report :

Mr. Speaker :

The committee on ways and means, to which was referred a resolution of the House on the subject of remitting the penalties charged against the delinquents for the non-payment of taxes for the year 1840, have had that subject under consideration, and directed me to report, that legislation on that subject is deemed inexpedient, and respectfully ask to be discharged from the further consideration thereof;

Which report was concurred in by the House.

Mr. Read, from the committee on ways and means, made the following report :

Mr. Speaker:

The committee of ways and means, to which was referred bill,

No. 6. A bill to abolish the office of county auditor in the county of Warrick, have had the same under consideration, and directed me to report it back to the House and recommend its passage.

Bill No. 6, mentioned in the above report, was ordered to be engrossed for a third reading on to-morrow.

Mr. Mooney, from the committee on ways and means, made the following report :

Mr. Speaker:

The committee to whom was referred the resolution inquiring into the expediency of providing by law, that non-residents may pay their taxes into the State Treasury, have had the same under consideration, and have instructed me to report, that there is a law now existing of the same import, and ask to be discharged from further duties herein.

The report was concurred in by the House, and the committee discharged from the consideration of that subject.

Mr. Norvell made the following report :

Mr. Speaker :

The committee to which was referred the petition of sundry citizens of White-water township in Franklin county, have had the same under consideration, and directed me to report the following bill and request its passage :

No. 73. A bill amendatory and supplemental to an act entitled, " an act providing for the election of three school commissioners in township No. 14 north, of range No. 7 west, in Parke county, approved January 13th, 1842 ;"

Read a first time and passed to a second reading on to-morrow.

Mr. Moore, chairman of the committee on public expenditures, made the following report :

Mr. Speaker:

The committee on public expenditures, to whom was referred a resolution of this House directing them to enquire into the expediency of abolishing the office of Private Secretary to the Governor, have had that matter under consideration, and have directed me to report the following bill and recommend its passage :

No. 74. A bill to abolish the office of Private Secretary to the Governor of the State of Indiana ;

Read a first time and passed to a second reading on to-morrow.

REPORTS FROM SELECT COMMITTEES.

Mr. Cuppy, from a select committee, made the following report :

Mr. Speaker :

The select committee, to whom was referred the petition of sundry citizens of Wabash county, on the subject of township business, have had that subject under consideration, and have directed me to report the following bill and recommend its passage :

No. 75. A bill to extend the provisions of certain laws therein named to the county of Wabash ;

Read a first time and passed to a second reading on to-morrow.

Mr. Turman, from a select committee, made the following report :

Mr. Speaker:

The select committee, to which was referred the petition of Ludwick Earnest and other citizens of Sullivan county in regard to a relocation of a state road in said county of Sullivan, have had that subject under consideration, and have instructed me to report the following bill and recommend its passage :

No. 76. A bill to relocate a state road in Sullivan county ;

Read a first time and passed to a second reading on to-morrow.

RESOLUTIONS OF THE HOUSE.

On motion of Mr. Chapman,

Resolved, That the judiciary committee be instructed to enquire into the constitutionality of the 124th section of chapter 12, of the Revised Laws, and to report whether said act can have any effect on the lands which were assessed for taxation and returned delinquent prior to the taking effect of said act ; also, to report their opinion of the propriety of the said section.

On motion of Mr. Tevis,

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of so amending the law that every man shall be sued in his own township.

On motion of Mr. Hodges,

Resolved, That the committee on ways and means be instructed to enquire into the expediency of *repudiating repudiation*, with leave to report thereon.

On motion of Mr. Engle,

Resolved, That the committee on ways and means be instructed to enquire into the expediency of so amending the law in relation to the assessment of real and personal estate, as to allow the several county assessors to proceed to list and value the property in their respective counties at any time after the first day of January in each year; with leave to report by bill or otherwise.

Mr. Shelby offered for adoption the following resolution:

Resolved, That the committee on canals and internal improvements be instructed to enquire into the expediency of so amending the law for the extension of the Wabash and Erie canal west of Lafayette, that when lands are overflowed or ponds created by the construction of said canal, to the annoyance of the people in their vicinity, it shall be the duty of the commissioner to have the same

removed by embankment or otherwise; and to report to this house as early as practicable;

Which was not adopted.

On motion of Mr. Elder,

Resolved, That a select committee of three be appointed to enquire into the expediency of so amending the appraisement law as to compel appraisers to attend when duly summoned, or pay a fine, as the present law compels officers that execute property to have the same appraised; and which gives said appraisers pay but does not compel them to attend; with leave to report by bill or otherwise.

Messrs. Elder, Montgomery, and Byers were appointed said committee.

Mr. Gregory offered the following resolution:

Resolved, That this House will, (the Senate concurring therein) proceed, to-morrow morning at 10 o'clock, to the election of president judges in the sixth, seventh, and ninth judicial circuits of this state; and,

On motion of Mr. Moore,

Said resolution was laid on the table.

Mr. Holloway offered the following resolution:

Resolved, That the committee on ways and means be instructed to enquire into the expediency of changing the law which now authorizes the receipt in payment for tolls and water rents on the Wabash and Erie canal, in *Blue Pup*, and other canal funds, so as to require said tolls and water rents to be paid in par funds, for the purpose of aiding in the payment of the expenses of the civil list; with leave to report by bill or otherwise; which was,

On motion of Mr. Blakemore,

Laid on the the table.

Mr. Logan of Washington offered the following resolution:

Resolved, That the committee on military affairs be, and they are hereby authorized to employ a clerk to assist in writing out a revision of the militia laws.

Which was not adopted.

Mr. Logan of Washington moved to reconsider the vote taken on the adoption of a resolution as offered by him, instructing the committee on military affairs to report a bill reorganizing the militia of the state of Indiana;

Which motion prevailed.

The question then being,

Shall the resolution referred to be adopted?

When Mr. Macy moved to lay said resolution on the table;

And the ayes and noes having been demanded by Messrs. Bowles and Moore,

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Athon, Barrett, Chambers, Clark of Hamilton, Coffin, Edmonston, Forseman, Garrett, Halbert, Hannah, Hardin, Harris, Holloway, Huddleston, Kelly, Kerr, Lee of Jefferson,

Logan of Pike, Macy, McDonald, Mickle, Miller of Vanderburgh, Montague, Moore, Morgan, Nutter, Parker, Reed, Roberts of Laporte, Simpson, Spicknall, Sutherland, Verbrike, Williams, Williamson, Wolf, and Mr. Speaker.—38.

Those who voted in the negative are,

Messrs. Allen of Putnam, Barbour, Bearss, Blakemore, Boone, Bowles, Burton. Byers, Chapman, Clark of Tippecanoe, Conner, Cowen, Cuppy, Edger, Elder, Engle, Ferry, Foley, Ford, Fuller, Gilbert, Gorman, Gregory, Handy, Harrison, Helwig, Hiatt, Hobbs, Hodges, Hostetter, Hurlbut, James, Jones of Fountain, Jones of Franklin, Keimer, Lee of Posey, Logan of Washington, Matheny, McAllister, McClure, McConnell, McRae, Miller of Crawford, Montgomery, Mooney, Nees, Norvell, O'Neall, Palmer, Rich, Robbins, Roberts of Putnam, Saffer, Seller, Shelby, Simonson, Smith, Tevis, Turman, Woolman, and Wright.—61.

So said motion did not prevail.

Mr. Hannah moved to amend the resolution as follows:

"Amend by striking out all that part requiring military duty to be performed by privates, confining the duties to regimental musters only."

Mr. Logan of Washington moved to amend the amendment as follows:

"Amend so that persons conscientious of bearing arms be permitted to work out the number of days to which the militia may be subject to train, on the public roads and highways."

Mr. Williamson moved that said resolution and pending amendments be indefinitely postponed;

And before any action was had thereon,

The House adjourned till 2 o'clock, P. M.

2 o'clock P. M.

The House met.

The House then resumed the consideration of the resolution as offered by Mr. Logan in relation to the militia of the state of Indiana.

The Speaker announced the question to be on the motion to indefinitely postpone.

And the ayes and noes having been demanded by Messrs. Gregory and Logan of Washington,

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Barrett, Bearss, Byers, Chambers, Clark of Hamilton, Coffin, Dowling, Elder, Foley, Garrett, Gilbert, Han-

nah, Hardin, Harris, Hiatt, Hobbs, Hodges, Holloway, Hostetter, Huddleston, Hurlbut, Kelly, Kerr, Lee of Jefferson, Macy, McDonald, Miller of Vanderburgh, Montague, Moore, Morgan, Parker, Reed, Roberts of Laporte, Sutherland, Turman, Verbrike, Williams, Williamson, Wolfe, Woolman, Wright, and Mr. Speaker.—43.

Those who voted in the negative are,

Messrs. Allen of Putnam, Athon, Barbour, Blakemore, Boone, Bowles, Burton, Chapman, Clark of Tippecanoe, Cowen, Cuppy, Edger, Edmonston, Engle, Ford, Fuller, Gorman, Gregory, Halbert, Handy, Harrison, Helwig, Jones of Fountain, Jones of Franklin, Keimer, Logan of Washington, Matheny, McAlister, McClure, McConnell, McRae, Mickle, Miller of Crawford, Montgomery, Mooney, Nees, Norvell, O'Neall, Palmer, Rich, Robbins, Roberts of Putnam, Saffer, Seller, Simonson, Simpson, Smith, Spicknall, and Tevis.—49.

So said motion did not prevail.

Mr. Logan of Washington with leave of the House, withdrew his proposed amendment to the amendment of Mr. Hannah.

The question then recurring upon the adoption of the proposed amendment of Mr. Hannah;

And the ayes and noes having been demanded by Messrs. Roberts of Putnam and Matheny,

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Barrett, Bearss, Byers, Chambers, Clark of Hamilton, Coffin, Conner, Elder, Forseman, Hannah, Hardin, Harris, Hobbs, Holloway, Huddleston, James, Kerr, Lee of Jefferson, Macy, McDonald, Montague, Morgan, Nutter, Parker, Reed, Roberts of Laporte, Shelby, Simpson, Sutherland, Verbrike, Williamson, and Woolman—33.

Those who voted in the negative are,

Messrs. Allen of Putnam, Athon, Barbour, Blakemore, Boone, Bowles, Burton, Chapman, Clark of Tippecanoe, Cowen, Cuppy, Dowling, Edger, Edmonston, Engle, Foley, Ford, Fuller, Garrett, Gilbert, Gorman, Gregory, Halbert, Handy, Harrison, Helwig, Hiatt, Hodges, Hostetter, Hurlbut, Jones of Fountain, Jones of Franklin, Keimer, Kelly, Logan of Pike, Logan of Washington, Matheny, McAlister, McClure, McConnell, McRae, Mickle, Miller of Crawford, Miller of Vanderburgh, Montgomery, Mooney, Moore, Nees, Norvell, O'Neal, Palmer, Rich, Robbins, Roberts of Putnam, Saffer, Seller, Simonson, Smith, Spicknall, Tevis, Turman, Williams, Wolfe, Wright and Mr. Speaker—65.

So said amendment was not adopted.

Mr. Robbins moved to amend said resolution by striking out "18" and inserting "20," also strike out "45" and insert "40;"

Which amendment was adopted.

Mr. Hannah moved to amend said resolution by striking out so much as makes it imperative to report a bill, and insert "to enquire into the expediency;"

Which amendment was adopted.

Mr. Hurlbut moved to amend the amendment as follows:

"So as to make it the duty of each and every citizen included in said resolution to perform military duty two days in each year, to-wit: one day's company drill in the month of May, and one day's regimental muster in October;"

Which was not adopted.

The question then recurring on the adoption of the resolution as amended;

And the ayes and noes having been demanded by Messrs. Logan of W. and Gregory:

Those who voted in the affirmative are,

Messrs. Barrett, Blakemore, Bowles, Burton, Chambers, Chapman, Clark of Tippecanoe, Conner, Cowen, Cuppy, Dowling, Edger, Engle, Ferry, Ford, Gilbert, Gorman, Gregory, Harris, Harrison, Helwig, Huddleston, Jones of Fountain, Jones of Franklin, Keimer, Lee of Jefferson, Lee of Posey, McAlister, McClure, McDonald, Mickle, Montgomery, Mooney, Morgan, Norvell, Palmer, Rich, Robbins, Seller, Simonson, Smith, Tevis, Turman, Williams, and Wolfe—45.

Those who voted in the negative are,

Messrs. Allen of Laporte, Allen of Putnam, Athon, Barbour, Bearss, Boone, Byers, Clark of Hamilton, Coffin, Edmonston, Elder, Foley, Forseman, Fuller, Halbert, Handy, Hannah, Hardin, Hiatt, Hobbs, Hodges, Holloway, Hostetter, Hurlbut, James, Kelly, Kerr, Logan of Pike, Logan of Washington, Macy, Matheny, McConnell, McRae, Miller of Crawford, Miller of Vanderburgh, Montague, Moore, Nees, Nutter, O'Neal, Parker, Reed, Roberts of Laporte, Roberts of Putnam, Saffer, Shelby, Simpson, Spicknall, Sutherland, Verbrike, Williamson, Woolman, Wright and Mr. Speaker—54.

So said resolution was not adopted.

The Speaker laid before the House the following communication, from the Auditor of State:

AUDITOR'S OFFICE,
December 12, 1843.

Hon. A. L. Robinson,

Speaker of the House of Representatives:

SIR:—In answer to a resolution of the House of Representatives, "requesting the Auditor of State to furnish the House, at an early day, the amount of salary that is now received by each county auditor in this State," I have to state that this office affords no information on that subject. The law fixing the fees of the county auditors allows 8 cents per 100 words, in making out duplicates, and 10 cents per 100 words, for all other writing done for the county, and 6¼ cents for each county order drawn by him upon the treasurer; his fees for all services to be rendered in relation to the several trust funds, transferred to the county treasury, and the congressional school fund for which he is constituted a check upon the school commissioner, are fixed at one-half per cent. on the amount of outstanding loans *on which interest has been paid for the current year*, being one-half the amount allowed heretofore to those officers who had charge of these several funds.

In order to comply with the resolution of the House, at the earliest possible time, I have addressed circulars to the respective county treasurers, asking a statement of the amount audited and paid by them for services of the county auditor.

Answers may be expected from a large portion of them in a week or 10 days, which will be immediately laid before the House.

Respectfully submitted,

M. MORRIS, A. P. A.

Which was referred to the committee on ways and means.

Mr. Norvell gave notice that on to-morrow he would introduce a resolution permitting members introducing any matter to this body in which the immediate interests of their constituents were involved and such matter or subject be referred to any of the standing committees of this House, that such member shall be considered as one of said committee, during the pendency of the subject so referred, tho' not allowed to vote when the question on that subject is taken by such committee.

On motion of Mr. Athon,

Resolved, That twenty-six additional copies of the reports, statistics, &c., of the State Prison, be printed for the use of said prison, to be forwarded with the laws, to the clerk's office of the Clark circuit court.

Mr. Chapman offered for adoption the following resolution:

Resolved, That the judiciary committee be requested to enquire into the constitutionality of the legislature of the State of Indiana, call-

ing a convention for the purpose of amending or altering the Constitution of the State at any other time than once in every twelve years;

Which was not adopted.

INTRODUCTION OF BILLS.

Mr. Matheny introduced,

No. 77. A bill to amend an act entitled "an act to value the property of this State," approved Feb. 12, 1841;

Read a first time and passed to a second reading on to-morrow.

Mr. Ferry introduced,

No. 78. A bill for the relief of George Mukle;

Read a first time and passed to a second reading on to-morrow.

Mr. Miller of Vanderburgh introduced,

No. 79. A bill authorizing the school commissioner of Vanderburgh county to refund certain moneys;

Read a first time and passed to a second reading on to-morrow.

Mr. Ferry introduced,

No. 80. A bill repealing the act authorizing the reception of canal scrip for tolls on the Wabash and Erie canal;

Read a first and second times,

The rule being suspended therefor, and

On motion of Mr. Coffin,

Was referred to the committee on canals and internal improvements.

Mr. Clark of Hamilton introduced,

No. 81. A bill creating the county of Cicero;

Read a first time and passed to a second reading on to-morrow.

The following message was received from the Senate by Mr. Davis, a Senator:

MR. SPEAKER:

I am instructed to inform the House that the Senate has passed an engrossed bill of the Senate, entitled,

No. 23. A bill to reduce the salaries of Governor of State and other officers, in which they respectfully ask the concurrence of the House of Representatives;

Engrossed bill No. 23, of the Senate, in the above message mentioned,

Was read a first time, when

Mr. O'Neal moved to supend the rule, and read the bill a second time now;

And the ayes and noes having been demanded by Messrs. Smith and Verbrike:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Allen of Putnam, Athon, Barbour, Barrett, Boone, Burton, Byers, Chambers, Chapman, Clark of Hamilton, Clark of Tippecanoe, Conner, Cowen, Edger, Edmonston, Elder, Engle, Ferry, Foley, Ford, Forseman, Fuller, Garrett, Gilbert, Gorman, Gregory, Halbert, Handy Hardin, Harris, Harrison, Helwig, Hiatt, Hobbs, Hodges, Huddleston, Jones of Franklin, Keimer, Kelly, Lee of Jefferson, Lee of Posey, Logan of Pike, Logan of Washington, Matheny, McAlister, McClure, McConnell, McRae, Mickle, Miller of Vanderburgh, Montague, Montgomery, Mooney, Moore, Morgan, Nees, Norvell, O'Neal, Palmer, Rich, Robbins, Roberts of Laporte, Roberts of Putnam, Saffer, Seller, Shelby, Simonson, Simpson, Spicknall, Sutherland, Turman, Verbrike, Williams, Williamson, Wolfe, Woolman, Wright and Mr. Speaker.—79.

Those who voted in the negative are,

Messrs. Bearss, Blakemore, Bowles, Coffin, Cuppy, Dowling, Hannah, Holloway, Hostetter, Hurlbut, James, Jones of Fountain, Kerr, Macy, McDonald, Miller of Crawford, Nutter, Parker, Reed, Smith, and Tevis—21.

So the rule was suspended, and the bill read a second time, when

Mr. Hannah moved to amend said bill as follows, to-wit:

"The several sections wherein Treasurer, Auditor, and Agent of State are named, so as to strike out "$1000" and insert "$800" each, wherever the same occurs."

Mr. Foley moved the previous question;

Which was seconded by the House.

The question then being,

Shall the main question be now put?

And the ayes and noes having been demanded by Messrs. Roberts of Putnam and Rich :

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Allen of Putnam, Athon, Barbour, Barrett, Boone, Burton, Byers, Chambers, Chapman, Clark of Hamilton, Clark of Tippecanoe, Cowen, Cuppy, Edger, Edmonston, Elder, Engle, Ferry, Foley, Ford, Fuller, Garrett, Gilbert, Gorman, Halbert, Handy, Hannah, Hardin, Harris, Harrison, Helwig, Hiatt, Hobbs, Hodges, Hostetter, Huddleston, James, Jones of Franklin, Keimer, Kelly, Lee of Jefferson, Lee of Posey, Logan of Pike, Logan of Washington, Macy, Matheny, McAlister, McClure, McConnell, McRae, Mickle, Miller of Crawford, Miller of Vanderburgh, Montgomery, Mooney, Moore, Nees, Norvell, O'Neal, Palmer, Rich, Robbins, Roberts of Laporte, Roberts of Putnam, Saffer, Seller, Shelby, Simonson,

Simpson, Smith, Spicknall, Sutherland, Tevis, Turman, Verbrike, Williams, Williamson, Wolf, Woolman, Wright and Mr. Speaker. —82.

Those who voted in the negative are,

Messrs. Bearss, Blakemore, Bowles, Coffin, Conner, Dowling, Forseman, Gregory, Holloway, Hurlbut, Jones of Fountain, Kerr, McDonald, Montague, Morgan, Nutter, Parker, and Reed—18.

So the main question was ordered to be put.

The question then recurring,

Shall the bill pass to a third reading on to-morrow?

And the ayes and noes having been demanded by Messrs. Mickle and Roberts of Putnam:

Those who voted in the affirmative are,

Messrs. Allen of Putnam, Allen of Laporte, Athon, Barbour, Barrett, Boone, Burton, Byers, Chambers, Chapman, Clark of Hamilton, Clark of Tippecanoe, Cowen, Cuppy, Dowling, Edger, Edmonston, Elder, Engle, Ferry, Foley, Ford, Forseman, Fuller, Garrett, Gilbert, Gorman, Gregory, Handy, Halbert, Hannah, Harris, Hardin, Harrison, Helwig, Hiatt, Hobbs, Hodges, Hostetter, Huddleston, Jones of Franklin, Keimer, Kelly, Lee of Jefferson, Lee of Posey, Logan of Pike, Logan of Washington, Matheny, McAlister, McClure, McConnell, McRae, Mickle, Miller of Crawford, Miller of Vanderburgh, Montgomery, Mooney, Moore, Morgan, Nees, Norvell, O'Neal, Palmer, Read, Rich, Robbins, Roberts of Lap., Roberts of Putnam, Saffer, Seller, Shelby, Simonson, Simpson, Smith, Spicknall, Sutherland, Tevis, Turman, Verbrike, Williams, Williamson, Wolfe, Woolman, Wright and Mr. Speaker—85.

Those who voted in the negative are,

Messrs. Bearss, Blakemore, Bowles, Coffin, Conner, Holloway, Hurlbut, Jones of Fountain, Kerr, Macy, McDonald, Montague, Nutter and Parker—15.

So the bill passed to a third reading on to-morrow.

Mr. Saffer moved to further suspend the rule and read the bill a third time now;

And the ayes and noes having been demanded by Messrs. Roberts of Putnam and Matheney:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Allen of Putnam, Athon, Barbour, Barrett, Boone, Burton, Byers, Chambers, Chapman, Clark of Hamilton,

Clark of Tippecanoe, Conner, Cowen, Cuppy, Edger, Edmonston, Elder, Engle, Ferry, Foley, Ford, Forseman, Fuller, Garrett, Gilbert, Gorman, Gregory Halbert, Handy, Hannah, Hardin, Harris, Harrison, Helwig, Hiatt, Hobbs, Hodges, Hostetter, Huddleston, James, Jones of Franklin, Keimer, Kelly, Lee of Jefferson, Lee of P., Logan of P., Logan of Washington, Matheny, McAlister, McClure, McConnell, McRae, Mickle, Miller of Crawford, Miller of Vanderburgh, Montgomery, Mooney, Moore, Morgan, Nees, Norvell, O'Neal, Palmer, Rich, Robbins, Roberts of Laporte, Roberts of Putnam, Saffer, Seller, Shelby, Simonson, Simpson, Smith, Spicknall, Sutherland, Tevis, Turman, Verbrike, Williams, Williamson, Wolfe, Wright and Mr. Speaker—84.

Those who voted in the negative are,

Messrs. Bearss, Blakemore, Bowles, Coffin, Dowling, Holloway, Hurlbut, Jones of Fountain, Kerr, Macy, McDonald, Montague, Nutter, Parker, and Reed—14.

So said motion prevailed;

And the bill read a third time;

And the question recurring, shall the bill pass ?

And the ayes and noes having been demanded by Messrs. Gorman and O'Neal:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Allen of Putnam, Athon, Barbour, Barrett, Boone, Burton, Byers, Chambers, Chapman, Clark of Hamilton, Clark of Tippecanoe, Conner, Cowen, Cuppy, Dowling, Edger, Edmonston, Elder, Engle, Ferry, Foley, Ford, Forseman, Fuller, Garrett, Gilbert, Gorman, Gregory, Halbert, Handy, Hannah, Hardin, Harris, Harrison, Helwig, Hiatt, Hobbs, Hodges, Holloway, Hudleston, James, Jones of Franklin, Keimer, Kelly, Lee of Jefferson, Lee of Posey, Logan of Pike, Logan of Washington, Matheny, McAlister, McClure, McConnell, McRae, Mickle, Miller of Crawford, Miller of Vanderburgh, Montgomery, Mooney, Moore, Morgan, Nees, Norvell, Nutter, O'Neal, Palmer, Reed, Rich, Robbins, Roberts of Laporte, Roberts of Putnam, Saffer, Seller, Shelby, Simonson, Simpson, Smith, Spicknall, Sutherland, Tevis, Turman, Verbrike, Williams, Williamson, Wolfe, Woolman, Wright and Mr. Speaker—89.

Those who voted in the negative are,

Messrs. Bearss, Blakemore, Bowles, Coffin, Hurlbut, Kerr, Macy, McDonald, Montague, and Parker—10.

So said bill passed.

Ordered, That the clerk inform the Senate thereof.

The following message was received from the Senate by Mr. Chapman, a Senator:

Mr. Speaker:

I am instructed by the Senate to inform the House of Representatives that the Senate has adopted the following resolution:

Resolved, That the Senate will, (the House concurring therein) proceed on Thursday next, at half past ten o'clock, A. M., to the election of Treasurer and Auditor of State, in which the concurrence of the House of Representatives is respectfully requested.

Mr. Parker moved to reciprocate said resolution with the following amendment, to-wit:

Insert "also for the election of President Judges of the sixth, seventh, and ninth judicial circuits.

Mr. Logan of Washington moved to lay the message and proposed amendment on the table;

Which motion prevailed.

And on motion,

The House adjourned until to-morrow morning 9 o'clock.

THURSDAY MORNING, DECEMBER 14th, 1843.

The House met pursuant to adjournment.

Mr. Cuppy presented the petition of Stephen Kitson, of Kosciusko county, a purchaser of school lands, asking certain relief therein named;

Which was referred to a select committee of Messrs. Cuppy, Keimer, and Smith.

REPORTS FROM STANDING COMMITTEES.

Mr. Barbour, chairman of the committee on elections, made the following report:

Mr. Speaker:

The committee on elections, to whom was referred the certificates of the election of members of this House, have examined the same and find that the following named persons were duly elected representatives to this House on the first Monday of August last, and in pursuance of the laws of this state, from the several counties of this state, to-wit:

From the counties of

Adams and Jay—Samuel S. Mickle.
Allen—Lucien P. Ferry.
Bartholomew—Heman H. Barbour.
Blackford, Huntington, and Wells—Peter Keimer.
Brown and Monroe—Willis A. Gorman.
Benton, White, Jasper, and Pulaski—David McConnell.
Boone—Benjamin Boone.
Carroll—Andrew L. Robinson.
Cass—George W. Blakemore.
Clarke—John S. Simonson, James S. Athon.
Clay—John B. Nees.
Clinton—Ephraim Byers.
Crawford—Houston Miller.
Daviess and Martin—Silas M. Halbert.
Dearborn—David Macy, Pinckney James, Richard N. Spicknall.
Decatur—David Montague.
Delaware—Goldsmith C. Gilbert.
Dubois—Benjamin R. Edmonston.
Elkhart—Joseph Cowan.
Fayette—Samuel W. Parker and Henry Simpson.
Floyd—George J. Wolfe.
Fountain—John R. Jones.
Franklin—James R. Jones and Joel Palmer.
Gibson—William Montgomery.
Grant—Samuel N. Woolman.
Greene—John F. O'Neall.
Hamilton—Wm. W. Conner and Haymond W. Clark.
Harrison—Wm. M. Saffer and Franklin McRae.
Hancock—Joseph Chapman and James P. Foley.
Hendricks—Samuel A. Verbrike.
Henry—Joel Reed and Robert J. Huddleston.
Jackson—Samuel P. Mooney.
Jefferson—Benjamin Tevis, Stephen Lee, and Isaac Chambers.
Jennings—DeWitt Clinton Rich.
Johnson—Franklin Hardin.
Knox—James D. Williams.
Kosciusko and Whitley—Abraham Cuppy.
Lagrange and Noble—Joshua J. Hobbs.
Laporte—Ferdinand Roberts and Wm. Allen.
Lawrence—Ralph G. Norvell and Wm. Burton.
Madison—Thomas McAllister.
Marion—John Sutherland and Obadiah Harris.
Montgomery—James H. Harrison, Philip Engle, and James Seller.
Morgan—Francis A. Matheny.
Marshall and Fulton—Joseph Robbins.
Miami and Wabash—Daniel R. Bearss.
Orange—Wm. A. Bowles.

From the county of

Owen—George W. Moore.
Parke—James Kerr and William G. Coffin.
Perry—Arnold Elder.
Pike—Robert Logan.
Posey—Arza Lee.
Putnam—William D. Allen and John H. Roberts.
Porter and Lake—Alexander McDonald.
Randolph—Edward Edger, Royston Ford.
Ripley—Meshach Hiatt.
Rush—Jesse Morgan, Samuel Barrett.
Scott—David McClure.
Shelby—Augustus C. Handy.
Spencer—Thomas M. Smith.
Sullivan—Thomas Turman.
Switzerland—Thomas T. Wright.
St. Joseph—Harris E. Hurlbut.
Steuben and DeKalb—Jacob Helwig.
Tippecanoe—Isaac Shelby, Samuel F. Clarke, and Philip Forseman.
Union—Charles Nutter.
Vanderburgh—Daniel Miller.
Vermillion—Henry Hostetter.
Vigo—John Hodges, Thomas Dowling, and Caleb Garrett.
Warrick—Isham Fuller.
Washington—Ezekiel D. Logan and John Kelly.
Wayne—Samuel Hannah, John W. Williamson, and David P. Holloway.
Warren—Leroy Gregory.

The report was concurred in by the House, and the committee discharged from the consideration of that subject.

Mr. Bowles, chairman of the committee on ways and means, made the following report:

Mr. Speaker:

The committee of ways and means, to which was referred bill No. 29, on the subject of postponing the time of paying taxes, have had that subject under consideration and directed me to report the same back with the following amendment, and recommend its passage, and ask to be discharged from the further consideration of that subject.

Amend by adding the following section:

Sect. 3. That the word "August," when it occurs in the forty-fourth, the fifteenth and fifty-third sections of the same chapter be stricken out, and "September," be inserted instead thereof;

Which amendment was concurred in by the House, and said bill ordered to be engrossed for a third reading on to-morrow.

Mr. James, from the committee on ways and means, made the following report:

Mr. Speaker:

The committee of ways and means, to which was referred the resolution of this House extending the time for the payment of taxes and other purposes, have had that subject under consideration, and have directed me to report the following bill.

No. 82. A bill to extend the time of the payment of taxes and other purposes;

Which was read a first time and passed to a second reading on tomorrow.

Mr. Mooney, from the committee on ways and means, made the following report:

Mr. Spealer:

The committee of ways and means to which was referred bill of the House No. 5, have had the same under consideration and directed me to report it to the House and recommend its indefinite postponement.

The question recurring on the concurrence of said report;

The ayes and noes were demanded by Messrs. McAllister and Chapman:

Those who voted in the affirmative are;

Messrs. Allen of Laporte, Blakemore, Bowles, Byers, Chambers, Cowen, Cuppy, Edger, Ferry, Gorman, Hannah, Hardin, Hobbs, Holloway, Halbert, James, Kelly, Lee of Jefferson, Lee of Posey, Macy, Matheney, McDonald, McRae, Mickle, Miller of Crawford, Montgomery, Mooney, Nees, Nutter, Parker, Reed, Robbins, Roberts, of Laporte, Shelby, Simonson, Simpson, Spicknall, Tevis, Wolfe, Wright, and Mr. Speaker.—41.

Those who voted the negative are;

Messrs. Allen of Putnam, Athon, Barrett, Bearss, Boone, Burton, Chapman, Clark of Hamilton, Clark of Tippecanoe, Coffin, Conner, Dowling, Edmonston, Engle, Foley, Ford, Forseman, Fuller, Garrett, Gilbert, Gregory, Hurlbut, Handy, Harris, Harrison, Helwig, Hiatt, Hodges, Hostetter, Hudleston, Jones of Franklin, Keimer, Kerr, Logan of Pike, Logan of Washington, McAlister, M'Clure, McConnell, Miller of Vandurburgh, Moore, Morgan, Norvell, O'Neall, Palmer, Rich, Roberts of Putnam, Saffer, Seller, Smith, Sutherland, Turman, Verbrike, Williams, Williamson, and Woolman.—55.

So said report was not concurred in.

Mr. Cuppy moved to amend so as to except from the provision of said bill, the counties of Kosciusko and Whitley.

Mr. Robbins moved to amend the proposed amendment by excepting from the provisions of the bill the counties of Fulton and Marshall;

Which was not agreed to.

Mr. Hurlbut moved to amend by excepting the county of St. Joseph.

Mr. Edmonston moved to lay the bill and pending amendments on the table.

And the ayes and noes having been demanded by Messrs. Rich and Ferry;

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Allen of Putnam, Athon, Barrett, Blakemore, Burton, Chambers, Conner, Cowen, Cuppy, Dowling, Edger, Edmonston, Ferry, Forseman, Fuller, Garrett, Gilbert, Gorman, Hannah, Hardin, *H*arrison, *H*obbs, *H*uddleston, *H*urlbut, James, Jones of Fountain, Jones of Franklin, Keimer, Kelly Kerr, Lee of Posey, Logan of Pike, Macy, Matheny, McAlister, McConnell, McDonald, McRae, Mickle, Miller of Crawford, Montgomery, Morgan, Nees, O'Neal, Palmer, Parker, Reed, Robbins, Roberts of Laporte, Saffer, Seller, Shelby, Simonson, Simpson, Spicknall, Turman, Verbrike, Williams, Wolfe, Woolman, Wright and Mr. Speaker.—63.

Those who voted in the negative are,

Messrs. Barbour, Bearss, Boone, Bowles, Byers, Chapman, Clark of Hamilton, Clark of Tippecanoe, Coffin, Engle, Foley, Ford, Gregory, Halbert, Handy, *H*arris, Helwig, *H*iatt, *H*odges, *H*olloway, Lee of Jefferson, Logan of Washington, McClure, Miller of Vanderburgh, Montague, Mooney, Moore, Rich, Roberts of Putnam, Smith, Sutherland, Tevis, and Williamson.—33.

So said motion prevailed.

On motion of Mr. Gorman,

The message of the Senate in relation to the election of Treasurer and Auditor of State, was taken from the table.

The question then recurring upon Mr. Parker's amendment thereto, to-wit: providing for going into the election of President Judges of the sixth, seventh, and ninth judicial circuits of the state of Indiana, when

Mr. Barbour moved the previous question;

Which was seconded by the House.

The question recurring,

Shall the main question be now put?

It was decided in the affirmative.

The question then being,

Will the House reciprocate the resolution mentioned in said message?

Which was decided in the affirmative.

Mr. Gorman asked, and obtained leave to introduce the following resolution:

Resolved, That that the Senate be invited to attend in the Hall of the House of Representatives *instanter*, for the purpose of electing a Treasurer and Auditor of State, and that seats be provided for them on the right of the Speaker's chair;

Which was adopted.

Ordered, That the Senate be informed thereof.

Whereupon, the Senate came into the Hall of the House of Representatives, and took their seats on the right of the Speaker's chair, the President of the Senate on the right of the Speaker, and both Houses jointly proceeded by ballot, to the election of a Treasurer of State.

Messrs. Morgan and Miller on the part of the Senate; and Messrs. Norvell and Coffin on the part of the House, acting as tellers;

And on counting the votes on the first ballot, it appeared that,

George H. Dunn	received	70	votes.
Frederick E. Goodsel,	"	59	"
Nathan B. Palmer,	"	5	"
Royal Mahew,	"	8	"
James McConnell,	"	2	"
Scattering,		5	"

No person having received a majority of the whole number of votes given, the convention proceeded to a second ballot, which resulted as follows:

George H. Dunn	received	72	votes.
Frederick E. Goodsell,	"	68	"
N. B. Palmer,	"	2	"
Royal Mahew,	"	6	"
James McConnell,	"	1	"
Scattering,		1	"

No person having received a majority of the whole number of votes given, the convention proceeded to a third ballot, which resulted as follows:

George H. Dunn	received	72	votes.
Frederick E. Goodsell,	"	69	"
N. B. Palmer,	"	2	"
Royal Mahew,	"	5	"
James McConnell,	"	2	"

No candidate having yet received a majority of the whole number of votes given, the convention proceeded to a fourth ballot, on counting which, it appeared that

George H. Dunn	received	71	votes.
Frederick E. Goodsell,	"	68	"

N. B. Palmer	received	5	votes.
Royal Mathew,	"	5	"
James McConnell,	"	1	"

No person having received a majority of the whole number of votes given;

The President of the Senate then adjourned the convention till half past two o'clock, P. M.: then

On motion,

The House adjourned till 2 o'clock, P. M.

2 o'clock, P. M.

The House met.

Mr. Bowles moved a call of the House.

When the clerk proceeded to call the roll, it appeared that the absentees were Messrs. Helwig and Ferry.

The further call of the House was suspended.

Mr. Matheny, on leave, made the following report:

Mr. Speaker:

The committee on the judiciary, to which was referred a resolution of this House, to enquire into the expediency of so amending the law that every man shall be sued in his own township, have had that subject under consideration and have desired me to report, that in their opinion, it is inexpedient to legislate on that subject as that matter is sufficiently provided for in the revision, and ask to be discharged from the further sonsideration of that subject.

Mr. Rich, one of said committee, dissenting therefrom;

Which report was concurred in by the House, and the committee discharged.

Mr. Matheny also made the following report:

Mr. Speaker:

The committee on the judiciary to which was referred a resolution to enquire into the expediency of so amending the laws in refference to probate courts, that the business therein be hereafter transacted by the circuit courts, or by officers clothed with surrogate powers, or by circuit probate courts, to be organized for that purpose, have had that subject under consideration and have directed me to report it inexpedient to legislate on that subject, and ask to be discharged from the further condideration of that subject;

Which report was concurred in by the House.

Mr. Matheny also made the following report:

Mr. Speaker:

The judicary committee to which was referred a resolution on the subject of grand and petit juries, have had that subject under consideration and they believe the law on that subject sufficient, and ask to be discharged from the further consideration of that subject;

Which report was concurrred in by the House.

Mr. Matheny also made the following report:

Mr. Speaker:

The Judiciary committee to which was referred a resolution of the House enquiring if the revision provides the same for the widow as the acts of 1843; I am instructed by the committee to say it does, and ask to be discharged from the further consideration of that subject;

Which was concurred in by the House.

Mr. Jones, on leave being obtained, made the following report:

The committee on the State Library, to whom was referred a resolution requiring said committee to report a bill abolishing the office of State Librarian, beg leave to report that they have had the subject under consideration, and although they much regret the imperative resolution which requires them to make such report, yet in obedience to said resolution, they report the following bill:

No. 83. A bill to abolish the office of State Librarian;

Read a first time and passed to a second reading on to-morrow.

Mr. Rich, on leave being obtained, made the following report from the committee on the judiciary:

Mr. Speaker:

The committee on the judiciary, to whom was referred bill of the House No. 47, "a bill for the relief of Charles Roy," have had the same under consideration, and have directed me to report, that in the opinion of your committee it is anti-democratic, anti-republican, and anti-whig, to grant to any person or persons, either as individuals or in corporate capacities, any privileges of any description, which might even by torture be construed into any resemblance of a bantling of that anti-democratic-republican-whig-monster-"monopoly." Your committee are aware that cases of misfortune, equal if not of greater magnitude than that of Mr. Roy's, exist in almost every county in this State, and therefore, to grant to Mr. Roy the privileges contemplated in said bill, would in effect, amount to a violation of the cardinal principle contained in the maxim of "no exclusive privileges," and your committee recommend the indefinite postponement of the bill;

Which was, on motion of Mr. Hurlbut,

Laid on the table.

The following message was received from the Senate by Mr. Otto, their Principal Secretary:

Mr. Speaker :

The President of the Senate having signed enrolled bill of the Senate, No. 23, entitled "An act to reduce the salaries of Governor of State and other officers;"

I am directed to report the same to the House of Representatives for the signature of Mr. Speaker;

Whereupon the Speaker signed said act;

The Senate again came into the Hall of the House, and in like manner, as before, proceeded to the election of a Treasurer of State, and on counting the votes on the fifth ballot, it appeared that

George H. Dunn	received	70 votes.
Frederick E. Goodsell	"	62 "
Nathan B. Palmer	"	6 "
Royal Mahew	"	7 "
James McConnell	"	5 "

No person having received a majority of the whole number of votes given, the convention proceeded to a sixth ballot, on counting which, it appeared that

George H. Dunn	received	70 votes.
Fredericck E. Goodsell	"	63 "
Nathan B. Palmer	"	5 "
Royal Mahew	"	10 "
James McConnell	"	2 "

No person having received a majority of the whole number of votes given, the convention, in like manner, proceeded to a seventh ballot, when it appeared that

George H. Dunn	received	68 votes,
Frederick E. Goodsell	"	58 "
Nathan B. Palmer	"	9 "
Royal Mahew	"	14 "
James McConnell	"	3 "

Neither of the candidates having yet received a majority of all the votes given, the convention proceeded to an eighth ballot, and on counting the votes, it appeared that

George H. Dunn	received	70 votes.
Frederick E. Goodsell	"	54 "
Nathan B. Palmer	"	11 "
James McConnell	"	3 "
Royal Mahew	"	11 "
James P. Drake	"	1 "

No person having received a majority of all the votes given, the convention proceeded to a ninth balloting, when it appeared that

George H. Dunn	received - -	71 votes.
Frederick E. Goodsell	" - -	49 "
Nathan B. Palmer	" - -	13 "
Royal Mahew	" - -	7 "
James McConnell	" - -	2 "
James P. Drake	" - -	4 "
Jno. W. Parker	" - -	2 "
Scattering - -	- -	1 "

Neither of the candidates having yet received a majority of the whole number of votes given, the President of the Senate then adjourned the convention till to-morrow morning, 10 o'clock.

The Senate retired to their chamber.

And on motion,

The House adjourned till to-morrow morning, 9 o'clock.

FRIDAY MORNING, DECEMBER 15th, 1843.

The House met pursuant to adjournment.

Mr. Woolman presented the claim of Andrew J. Harlan, for services rendered the present General Assembly;

Which was referred to the committee on claims.

The Speaker laid before the House a communication from N. H. Gist and others, relative to a certain alley in the town of Delphi;

Which was referred to the committee on corporations.

Mr. Bowles, on leave being obtained, introduced,

No. 84. A bill to repeal a part of an act on the subject of the New Albany and Vincennes road;

Read a first and second times,

The rules being suspended therefor,

Mr. Bowles moved further to suspend the rules and read the bill a third time now;

Which did not prevail.

Mr. Roberts of Putnam moved to refer the bill to the committee on public expenditures;

Which was not agreed to.

Mr. Foley moved to refer said bill to the committee on canals and internal improvements;

Which did not prevail.

Mr. Saffer moved to commit the bill to a select committee, composed of the members along the line of said road;

Which did not prevail.

Then, on motion of Mr. Moore,

Said bill was referred to the committee on the canal Fund.

Mr. Robbins presented the memorial of B. H. Scott, Clerk and Recorder of Miami county, in relation to burning of the public records of said county;

Which was, on motion, referred to the committee on claims, and that said Scott has leave to appear before said committee, with evidence, &c., to support his claim.

Mr. McDonald presented the petition of citizens of Porter county, praying the location of a state road therein named;

Which was referred to the committee on roads.

Mr. Helwig presented the petition of citizens of Steuben county, in relation to a state road therein named;

Which was referred to a select committee of Messrs. Helwig, Hobbs and Cowen.

Mr. McDonald presented the petition of citizens of Lake county, praying the grant of certain state land for a burying ground;

Which was referred to a select committee of Messrs. McDonald, Allen of Laporte and Ferry.

Mr. Bearss presented the petition of citizens of Wabash and adjoining counties, asking the renewal of the charter of the Lagro and Manchester road company;

Which was referred to a select committee of Messrs. Bearss, Blakemore and Keimer.

Mr. Gorman presented the petition of David H. Maxwell, praying the vacation of a certain alley in the town of Bloomington;

Which was referred to a select committee of Messrs. Gorman, Matheny and Burton.

REPORTS FROM STANDING COMMITTEES.

Mr. Matheny, from the committee on the judiciary, made the following report:

Mr. Speaker:

The judiciary committee, to which was referred the petition of John Nyce and others, on the subject of a divorce, have had that subject under consideration, and have directed me to report, that in their opinion that the laws now in force affords sufficient relief in all cases, and have directed me to report it back to this House, and ask to be discharged from the further consideration of that subject;

Which report was concurred in by the House.

Mr. Parker, chairman of the committee on the judiciary, made the following report:

Mr. Speaker:

The judiciary committee, to whom was referred bill No. 25, of the House, entitled "a bill to repeal an act regulating the sale of real estate by executors, administrators, and guardians, approved Feb. 9, 1843, agreeably to order, have had that subject under consideration, and have directed me to report the same back to the House without amendment and recommend its passage;

The question recurring, shall bill

No 25. In the above report mentioned, be engrossed for a third reading?

When, on motion of Mr. Roberts of Putnam,

Said bill was laid on the table.

Mr. Parker, chairman of the same committee, made the following report:

Mr. Speaker:

The judiciary committee, to whom was referred bill No. 39, of the House entitled "a bill to amend an act entitled an act, to organize probate courts, and defining the duties and powers of executors, administrators, and guardians," approved Feb. 17, 1838, agreeably to order, have had that subject under consideration, and have directed me to report, that they deem the amendment proposed by the bill as highly inexpedient, and they recommend that no further legislation be had on that subject;

Which report was concurred in by the House and the committee discharged from the further consideration thereof.

Mr. Blakemore, from the judiciary committee, made the following report:

Mr. Speaker:

The judiciary committee, to whom was referred engrossed bill from the Senate, No. 7, entitled "an act authorizing the several courts of Tippecanoe county to be holden in such place as herein specified, during the erection of a new court house in said county," have had the same under consideration, and have directed me to report it back to this House without amendment and recommend its passage;

Engrossed bill No. 7, of the Senate, in the above report mentioned;

Was read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Parker, chairman of the judiciary committee, made the following report:

Mr. Speaker:

The judiciary committee, agreeably to order, have had under consideration an engrossed joint resolution of the House No. 14, on the subject of postage, with instructions, and they have directed me to report the same back and recommend as a substitute for the joint resolution referred, the one herewith submitted, which incorporates the substance of the original together with the amendment the committee were instructed to make;

Which amendment of the committee was concurred in, and said joint resolution ordered to be engrossed for a third reading on to-morrow.

Mr. Norvell, chairman of the committee on education, made the following report:

Mr. Speaker:

The committee on education, to whom was referred the petition of sundry citizens from Pike county, in relation to the school fund of said county, have had the same under consideration, and direct me to report the following bill and recommend its passage:

No. 85. A bill to authorize the school commissioner of Pike county to loan the common school fund of said county on personal security;

Read a first time and passed to a second reading on to-morrow.

Mr. Norvell, chairman of the same committee, made the following report:

M. Speaker:

The committee on education to whom was referred bill No. 44, relative to preventing the sale of mortgaged lands to the common school fund, until January, 1845, have had the same under consideration, and direct me to report it back and recommend its passage;

Bill No. 44. In the above report mentioned, was then ordered to be engrossed for a third reading.

Mr. O'Neal, from the committee on education, made the following report:

Mr. Speaker:

The committee on education, to whom was referred bill No. 26, of the House, entitled "a bill to repeal certain laws therein named," have had the same under consideration, and have directed me to report the same back to the House and ask its indefinite postponement;

Which report was, on motion of Mr. Norvell,

Laid on the table.

Mr. Roberts moved a call of the House;

The clerk proceeded with the call;

When it appeared that the absentees were Messrs. Kelly and Elder, being unwell.

Mr. Rich moved that the further call of the House be suspended;

Which did not prevail.

Mr. Kelly, one of the absentees, having appeared;

Mr. Norvell moved that the further call of the House be suspended;

Which motion prevailed.

The Senate then came into the Hall of the House, and took their seats on the right of the Speaker's chair, the President of the Senate on the right of the Speaker, when the convention proceeded by ballot to the election of a Treasurer of State, and upon counting the tenth ballot, it appeared that

George H. Dunn	received - -	70	votes.
Frederick E. Goodsell	" - -	19	"
Royal Mahew	" - -	9	"
Nathan B. Palmer	" - -	27	"
William Berry	" - -	12	"
Jas. P. Drake	" - -	8	"
James McConnell	" - -	1	vote.
T. M. Smith	" - -	1	"
—— Brackenridge	" - -	1	"
Wm. L. Layman	" - -	1	"

No person having received a majority of all the votes given, the convention, in like manner, proceeded to an eleventh ballot, and upon counting the votes, it appeared that

George H. Dunn	received - -	69	votes.
Frederick E. Goodsell	" - -	8	"
Nathan B. Palmer	" - -	39	"
Wm. Berry	" - -	12	"
Royal Mahew	" - -	4	"
J. P. Drake	" - -	3	"
T. M. Smith	" - -	9	"
—— Brackenridge	" - -	5	"
J. L. Robinson	" - -	1	vote.

No person having yet received a majority of the whole number of votes given, the convention, in like manner, proceeded to the twelfth ballot, and upon counting the votes, it appeared that

George H. Dunn	received - -	70	votes.
Nathan B. Palmer	" - -	51	"
F. E. Goodsell	" - -	6	"
Wm. Berry	" - -	9	"
T. M. Smith	" - -	6	"
—— Brackenridge	" - -	6	"
Samuel Milroy	" - -	1	vote.

No person having received a majority of all the votes given, the convention, in like manner, proceeded to a thirteenth ballot, and on counting which, it appeared that

George H. Dunn received	70	votes.
N. B. Palmer "	57	"
F. E. Goodsell "	6	"
T. M. Smith "	7	"
—— Brackenridge "	6	"
Samuel Milroy "	1	vote.
Scattering	1	"

Neither of the candidates having yet received a majority of all the votes given, the President of the Senate adjourned the convention till half past two o'clock, P. M.

The Senate then retired.

And on motion,

The House then adjourned until 2 o'clock, P. M.

2 *o'clock, P. M.*

The House met pursuant to adjournment.

On motion of Mr. Roberts of Putnam,

A call of the House was ordered;

The clerk proceed with the call,

When it appeared that the absentees were Messrs. Elder and Handy.

On motion of Mr. Roberts of Putnam,

Mr. Elder was excused on account of ill health.

Mr. Handy having appeared.

On motion of Mr. Norvell,

The further call of the House was suspended.

Mr. Gorman, on leave being obtained, offered the following resolution:

Resolved, That the House will, the Senate concurring therein, proceed to the election of President Judges of the several judicial circuits, where vacancies have occurred by the expiration of the term of service of the present incumbents, on Monday next, at 10 o'clock;

Which was adopted.

Ordered, That the Senate be informed thereof.

Mr. Norvell, on leave granted, offered for adoption the following resolution, in pursuance of notice given:

Resolved, That it shall be one of the standing rules of the House, that hereafter, when any member introduces any matter to this body in which the immediate interests of his constituents is involved, and such matter or subject be referred to any one of the standing com-

mittees of this House, that such member shall be considered as one of the committee, during the pendency of the subject so referred, tho' not allowed a vote when the question on such subject is taken by such committee;

Which was adopted.

Mr. O'Neal, from the committee on claims, made the following report:

Mr. Speaker:

The committee on claims, to which was referred the petition of Samuel Rockafeller and others, have had the same under consideration, and have directed me to report the same back to the House and ask to be discharged from the further consideration thereof, and ask that the same be referred to a select committee;

Said report was concurred in by the House,

And the petition therein named, was referred to a select committee of Messrs. Jones of Franklin, Simpson and Spicknall.

INTRODUCTION OF BILLS.

Mr. Cuppy, having obtained leave, introduced

No. 86. A bill extending the provisions of a certain act therein named, to the county of Kosciusko;

Which was read a first and second times,

The rules being suspended therefor,

And ordered to be engrossed for a third reading on to-morrow.

Mr. Miller of Crawford, first having obtained leave, introduced

No. 87. A bill to prevent speculation in Treasury Notes, made receivable for county revenue and other purposes;

Read a first time and passed to a second reading on to-morrow.

The Senate then came into the Hall of the House, and took their seats on the right of the Speaker's chair, the President of the Senate on the right of the Speaker, when the convention proceeded to the 14th ballot for Treasurer of State, and on counting the votes, it appeared that

George H. Dunn received	-	69	votes.
N. B. Palmer,	"	61	"
F. E. Goodsell	"	5	"
—— Brackenridge	"	9	"
John Carr	"	2	"
T. M. Smith	"	1	vote.
Wm. Berry	"	1	"
Scattering - -	- -	1	"

No person having received a majority of all the votes given, the convention, in like manner, proceeded to the 15th ballot, when it appeared that

George H Dunn	received	-	-	70 votes.
Nathan B. Palmer	"	-	-	66 "
F. E. Goodsell	"	-	-	7 "
Samuel Milroy	"	-	-	1 vote.
Jno. Carr	"	-	-	1 "
—— Bryant	"	-	-	1 "
T. M. Smith	"	-	-	2 votes.
Wm. Berry	"	-	-	1 vote.

Neither of the candidates having received a majority of the whole number of votes given, the convention, in like manner, proceeded to a 16th ballot, on counting which, it appeared that

Nathan B. Palmer	received	-	-	69 votes.
George H. Dunn	"	-	-	68 "
F. E. Goodsell	"	-	-	6 "
T. M. Smith	"	-	-	1 vote.
Wm. Berry	"	-	-	1 "
—— Brackenridge	"	-	-	2 votes.
Scattering	-	-	-	2 "

Neither of the gentlemen having received a majority of the whole number of votes given, the convention, in like manner, as before, proceeded to a 17th ballot, when it appeared that

Nathan B. Palmer	received	-	-	67 votes.
George H. Dunn	"	-	-	71 "
F. E. Goodsell	"	-	-	8 "
T. M. Smith	"	-	-	1 vote.
Scattering	-	-	-	3 votes.

No person having received a majority of all the votes given, the convention proceeded to an 18th ballot, which resulted as follows:

Nathan B. Palmer	received	-	-	67 votes.
George H. Dunn	"	-	-	70 "
F. E. Goodsell	"	-	-	10 "
J. Burton	"	-	-	1 vote.
A. C. Pepper	"	-	-	1 "

No person having yet received a majority of all the votes given, the convention proceeded to a 19th ballot, which terminated as follows:

Nathan B. Palmer	received	-	-	68 votes.
George H. Dunn	"	-	-	69 "
F. E. Goodsell	"	-	-	10 "
A. C. Pepper	"	-	-	2 "

Neither of the candidates having received a majority of all the votes given, the convention proceeded to the 20th ballot, which resulted as follows:

Nathan B. Palmer	received	69	votes.
George H. Dunn	"	69	"
A. C. Pepper	"	4	"
F. E. Goodsell	"	5	"
Scattering		2	"

Neither of the Gentlemen having received a majority of the whole number of votes given.

The President of the Senate adjourned the convention until half past 2 o'clock, P. M., on to-morrow.

And on motion,

The House adjourned till to-morrow morning, 9 o'clock.

SATURDAY MORNING, DECEMBER 16, 1843.

The House met pursuant to adjournment.

Mr. Rich moved to suspend the order of business for the purpose of taking up bill No. 5, postponing the sale of lands for taxes;

Which motion did not prevail.

Mr. Macy presented the petition of sundry citizens of Dearborn county, praying for the construction of a bridge across the White Water canal at Lawrenceburgh;

Which was referred to the committee on canals and internal improvements.

Mr. Blakemore, from the committee on the judiciary, made the following report:

MR. SPEAKER:

The judiciary committee, to whom was referred the petition of Thomos Palmer and others, of Dearborn county, praying an amendment of the law regulating the duty of recorders, have had the same under consideration and have directed me to report, that as to so much of the petition as prays for the amendment of the law so that all deeds and mortgages shall be considered as of record from the time they may be received by the recorder for record, it is the opinion of the committee that the law now in force in this state, operates to that effect; and that as to so much of said petition as prays that the law respecting recording, may be so amended as to require the fee for recording written instruments to be paid in advance, it is inexpedient to legislate upon, and ask that they may be discharged from the further consideration of the subject;

Which report was concurred in by the House.

The Speaker laid before the House the following communication from his Excellency the Governor:

EXECUTIVE CHAMBER,
December 15th, 1843.

TO THE HON. ANDREW L. ROBINSON,

Speaker of the House of Representatives:

SIR: I have the honor to transmit herewith, to be laid before the House of Representatives, a communication of this date, from J. J. Cohen, jr., on behalf of the firm of J. J. Cohen jr. & Brothers, of Baltimore, seeking relief against what he alleges to be a misconstruction by the agent of state, of a joint resolution passed by the last general assembly "authorizing the agent of state to settle with J. J. Cohen, jr., & Brothers," approved Feb. 3d, 1843.

I am, very respectfully,
Your ob't servant,
JAS. WHITCOMB.

Mr. Simonson moved to refer said communication to the committee on ways and means:

Which did not prevail. Then,

On motion of Mr. Bowles,

The same was referred to the judiciary committee.

REPORTS FROM STANDING COMMITTEES.

Mr. McDonald, from the committee on the judicary, made the following report;

MR. SPEAKER:

The committee on the judiciary, to whom was referred a petition from sundry citizens of Clark county complaining of the practice of *Shivverreeing*, and praying the passage of a law or laws restraining such practice, have had the same under consideration and have directed me to report that they deem it inexpedient to further legislate in the matter, as they deem the provisions now in force respecting riots and routs, when enforced, amply sufficient to restrain said practice, and ask leave to be discharged from the further consideration of said petition;

Which report was concurred in by the House.

Mr. McDonald, from the same committee, made the following report:

Mr. Speaker:

The committee on the judiciary to whom was referred a resolution of the House of Representatives, No. 16, instructing said committee to report a bill for the further prevention of docket fees; and resolution No. 1, granting leave to said committee to report by bill or otherwise, have had the same under consideration, and have directed me to make the following report:

That they deem it inexpedient to legislate further upon the subject as ample provision is made to prevent the further collection of said docket fees, in the Rev. Stat., which will soon go into operation, and ask to be discharged from the further consideration of said resolutions.

Which report was concurred in by the House, and the committee discharged from the further consideration of that subject.

Mr. McDonald from the same committtee, made the following report.

Mr. Speaker:

The committee on the judiciary to whom was referred resolution No. 2., of the House of Representatives, instructing said committee to enquire into the expediency of so amending the laws of this state as to allow silver-smiths to vend clocks without obtaining the license required by pedlars, and granting leave to report by bill or otherwise; have had the same under consideration, and directed me to report that they deem it inexpedient to so amend the law, and ask to be discharged from the further consideration of the said resolution;

Which report was concurred in by the House.

Mr. McDonald from the committee on the judiciary made the following report:

Mr. Speaker:

The judiciary committee to whom was referred a bill of the House of Representatives No. 18, entitled a bill for the benefit of the citizens of Lake county, have had the same under consideration, and have directed me to report the bill back to the House without amendment, and recommend its passage;

Which report was concurred in by the House, and

No. 18. A bill for the benefit of the citizens of Lake county, in said report mentioned,

Was ordered to be engrossed for a third reading on to-morrow.

Mr. Hodges from the committee on education made the following report:

Mr. Speaker:

The committee on education to whom was referred a resolution

of the House to enquire into the expediency of making the school fund of each township a general fund, and the same to be divided among the general townships, have had that subject under consideration, and directed me to report that in their opinion, it is inexpendient to legislate on that subject, and ask to be discharged from any further consideration thereof;

Which report was concurred in by the House and the committee discharged from the further consideration thereof.

Mr. Dowling from the committee on canals and internal improvements, made the following report:

Mr. Speaker:

The committee on canals and internal improvements to whom was referred bill No. 53, entitled "an act to repeal a certain act therein named," have had the same under consideration, and have directed me to report the same back to the House without amendment, and unanimously recommend its passage; bill

No. 53. In the above report mentioned was ordered to be engrossed for a third reading on to-morrow.

Mr. Foley from the committe on agriculture, made the following report:

Mr. Speaker:

The committee on agriculture to whom was referred bill of the House No. 52, concerning marks and brands, have had the same under consideration, and have directed me to report it back to the House with one amendment, "strike out all after the enacting clause and insert a new bill," and recommend the passage thereof;

Which amendment was concurred in by the House and the bill ordered to be engrossed for a third reading on to-morrow.

The Speaker laid before the House the following communication from His Excellency the Governor:

Executive Department, }
December 16, 1843. }

To the Hon. A. L. Robinson,

Speaker of the House of Representatives:

Sir: T. Brown Kinder is authorized to bear communications from the Executive to the House of Representatives.

I am very respectfully,
Your ob't servant,
JAS. WHITCOMB.

Mr. Ferry, chairman of the committee on corporations, made the following report:

Mr. Speaker:

The committee on corporations, to whom was referred the petition of Newton H. Gist and others, citizens of Carroll county, have had the same under consideration and have directed me to report the following bill and recommend its passage:

No. 88. A bill vacating a certain alley therein named, in the town of Delphi; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Ferry, chairman of same committee, made the following report:

Mr. Speaker:

The committee on corporations, to whom was referred a bill of the House, No. 52, entitled "a bill to vacate the town of Lagrange," have had the same under consideration, and have directed me to report the same back to the House without amendment, recommend its passage, and ask to be discharged from the further consideration of the subject;

No. 52. A bill to vacate the town of Lagrange, in the above report mentioned;

Was ordered to be engrossed for a third reading on to-morrow.

REPORTS FROM SELECT COMMITTEES.

Mr. Jones of Fountain, made the following report:

Mr. Speaker:

The select committee to which was referred the petition for the repeal of the law fixing the salary of the auditor of Fountain county, approved February 13th, 1843, have had the matter under consideration, and instructed me to report the following bill and recommend its passage:

No. 89. A bill regulating the salary of the county auditor, in the county of Fountain;

Which was read three several times, (the rule being suspended therefor,) and passed.

Ordered, That the Senate be informed thereof.

RESOLUTIONS OF THE HOUSE.

Mr. Hannah offered the following resolution for the consideration of the House:

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of repealing section 6, chap. 40, page 672, Revised Statutes, which requires affidavits to be made in all cases before requiring special bail on mense process.

Also to repeal so much of sects. 432 to 446, chap. 40, page 752, as requires ten days' notice to be given and affidavit to be filed in all cases previous to issuing a *capias ad respondendum*.

Also, of modifying sect. 407, chap. 40, so as to allow more than one offer of sale on the same execution in twelve months.

Also, to repeal that part of the fourth division of sect. 2, page 863, which reads in these words, "and by and against executors, administrators, and guardians," so as to give jurisdiction to justices of the peace in such cases.

Also, to repeal so much of an act supplemental to an act subjecting real and personal estate to execution, approved February 11th, 1843, page 1045, of the Revised Statutes, as dispenses with the giving delivery bonds by defendants in execution;

And that said committee be instructed to report to this House;

Which resolution was on motion, laid on the table.

On motion of Mr. Tevis,

Resolved, That the judiciary committee be instructed to enquire into the expediency of so amending the law regulating the duties of grand jurors that their session, during the term of the circuit courts, be limited to one week, unless for good reasons extended by the judges of such courts.

On motion of Mr. Burton,

Resolved, That the committee on ways and means enquire into the expediency of reporting a bill to this House, reducing the tollage on the Vincennes and New Albany turnpike road.

Mr. Robbins offered the following resolution:

Resolved, That the judiciary committee be instructed to enquire into the constitutionality of the law that provides for the payment of state scrip into the school fund, and if the same be considered unconstitutional, to report a bill to repeal the same;

Which was not adopted.

On motion of Mr. O'Neal,

Resolved, That no member shall be responded to by the Chair unless he be at his own seat.

On motion of Mr. Miller,

Resolved, That the committee on roads is hereby required to enquire into the expediency of repealing the 104th and 105th sections of the Revised Statutes in the following manner: That the auditors or clerks of the several circuit courts in this state shall only be compelled to put the amount of the road taxes on the duplicate of the supervisors in the several road districts in this state, and shall be compelled to collect said tax under the laws now in force, and that all that part of said law requiring said auditors or clerks to put the amount on the treasurer's duplicate be repealed.

On motion of Mr. Gorman,

The following preamble and resolution were adopted:

WHEREAS, It is charged through the medium of the public press that there is a member of this House, now holding a seat, who is a defaulter to the state of Indiana for trust funds; and

WHEREAS, The constitution expressly forbids any such to hold a seat as a member of either branch of the legislature of this state; and,

WHEREAS, That person is said to be Mr. Woolman of the county of Grant; therefore,

Resolved, For the purpose of enabling the gentleman from Grant, (Mr. Woolman,) to exculpate himself, and for the purpose of preserving inviolate the constitution of Indiana, which we have individually sworn to support, that committee on elections be instructed to enquire into the fact, whether the said Woolman is a public defaulter or not, and report to this House at as early a day as possible with power to send for persons and papers.

On motion of Mr. Nutter,

Resolved, That the judiciary committee be instructed to enquire into the expediency of repealing so much of an act entitled, "An act regulating prisons and prison bounds," app. Feb. 17th, 1838, as requires sheriffs or jailers to make oath before a justice of the peace or circuit judge of the proper county, to their respective accounts for supplying prisoners, with leave to report by bill or otherwise.

On motion of Mr. Bowles,

Resolved, That the committee on the judiciary be instructed to report a bill to this House, providing that each member of the general assembly, in addition to his per diem allowance, shall receive twenty-five cents per week in lieu of the stationary heretofore furnished by the state.

Mr. Montague offered the following resolution:

Resolved, That the committee on education enquire into the expediency of amending that part of the revision relative to the collection and disbursement of the common school fund, so that no part of said fund shall be applied to the payment of officers for the management of said fund; to report by bill or otherwise;

Which was not adopted.

On motion of Mr. McClure,

Resolved, That the judiciary committee be instructed to enquire into the expediency of providing by law for the service of process in trespass *quare clausum fregit*, where the defendant or defendants are in another county than that wherein the *close* is situate.

On motion of Mr. Simonson,

No. 25. A bill to repeal an act regulating the sale of real estate by executors, administrators, and guardians, app. Feb. 9th, 1843;

Was taken from the table; when

Mr. Gregory moved to amend as follows:

By adding the following section:

"That said real estate shall not be sold in any case whatsoever, at at public sale, for less than two thirds of its appraised valuation, to be ascertained by two disinterested freeholders of the township in which such lands be; such valuation to be made and sworn to before some justice of the peace of said township."

Mr. Gorman moved to amend the amendment by adding the following proviso:

"Provided, that the appraisers shall, in no case, be the purchasers, either directly or indirectly;"

Which was accepted by the mover.

Mr. Parker moved to recommit the bill and pending amendments to the judiciary committee, with instructions to report a bill in accordance with the amendment and repealing the present law;

Which motion prevailed.

Mr. Norvell moved to take from the table,

No. 26. A bill to repeal certain laws therein named;

Which motion did not prevail.

INTRODUCTION OF BILLS.

Mr. Bowles introduced,

No. 90. A bill defining the duties of county auditors and treasurers in this state;

Which was read a first time and passed to a second reading on to-morrow.

Mr. Ferry introduced,

No. 91. A joint resolution in relation to an armory on the western waters;

Which was read a first time and passed to a second reading on to-morrow.

Mr. Ferry also introduced,

No. 92. A bill further retrenching the salaries of state officers;

Which was read a first and second times (the rule being suspended therefor) and,

On motion of Mr. Norvell,

Referred to the committee on elections.

Mr. Athon introduced,

No. 93. A joint resolution in relation to a canal at the falls of the Ohio river;

Read a first time and passed to a second reading on to-morrow.

Mr. Dowling introduced,

No. 94. A bill relating to the proof of titles to state lands;

Read a first and second times (the rules being suspended therefor) and, on his motion, referred to the committee on the judiciary.

Mr. Smith introduced,

No. 95. A joint resolution suspending the pay of members of the general assembly at times therein specified;

Read a first time when

Mr. Gorman moved to reject;

Which motion prevailed.

Mr. Ford introduced,

No. 96. A bill to exempt certain lands in the counties of Randolph and Delaware from taxation;

Read a first time and passed to a second reading on to-morrow.

Mr. Williams introduced,

No. 97. A bill relative to the church property of the Roman Catholic Church;

Which was read a first time and passed to a second reading on to-morrow.

Mr. McDonald introduced,

No. 98. A bill for the relief of George Belshaw;

Read a first and second times, (the rules being suspended therefor) and, on his motion, referred to the committee on the judiciary.

Mr. Ferry introduced,

No. 99. A bill authorizing the location and reopening of the Indianapolis and Fort Wayne state road;

Read a first time and passed to a second reading on to-morrow.

Mr. Hurlbut introduced,

No. 100. A bill to extend an act entitled, "An act to compel speculators to pay a road tax equal to that paid by actual settlers," approved Jan. 31st, 1842;

Which was read three several times, (the rules being suspended therefor) and passed.

Ordered, That the clerk inform the Senate thereof.

On motion of Mr. Rich,

No. 5. A bill to postpone the sale of delinquent lands and town-lots for the year 1842,

Was taken from the table.

The question recurred on the amendment to the amendment by Mr. Cuppy, excepting the counties of Kosciusko and Whitley, as proposed by Mr. Hurlbut, excepting the county of St. Joseph from the provisions of said bill;

Which was not adopted.

Mr. Ferry moved to amend the amendment proposed by Mr. Cuppy as follows:

"That the provisions of this act shall not extend to taxes due upon said lands by persons not resident in the county where said taxes fall due."

Mr. Simonson moved to indefinitely postpone the bill and pending amendments;

When the ayes and noes were demanded by Messrs. Smith and Cuppy:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Athon, Barrett, Bearss, Boone, Bowles, Burton, Byers, Chambers, Clark of Tippecanoe, Conner, Cowen, Cuppy, Edger, Edmonston, Forseman, Fuller, Gilbert, Gorman, Han-

nah, Hardin, Harrison, Hobbs, Holloway, Hostetter, Huddleston, Hurlbut, Jones of Fountain, Keimer, Lee of Jefferson, Lee of Posey, Logan of Pike, Logan of Washington, McConnell, McDonald, McRae, Mickle, Miller of Crawford, Montgomery, Mooney, Nees, Nutter, O'Neal, Parker, Robbins, Roberts of Laporte, Saffer, Seller, Simonson, Spicknall, Tevis, Turman, Williamson, Wolfe, Wright and Mr. Speaker.—56.

Those who voted in the negative are,

Messrs. Allen of Putnam, Barbour, Blakemore, Chapman, Clark of Hamilton, Coffin, Dowling, Engle, Ferry, Foley, Ford, Garrett, Gregory, Halbert, Harris, Helwig, Hiatt, Hodges, Jones of Franklin, Kerr, McClure, Miller of Vanderburgh, Montague, Moore, Morgan, Norvell, Palmer, Reed, Rich, Roberts of Putnam, Simpson, Smith, Sutherland, Verbrike, Williams, and Woolman—36.

So said bill was indefinitely postponed.

ORDERS OF THE DAY.

No. 3. A joint resolution of the Senate, on the subject of improving the nagivation of the Mississippi, Ohio, and Wabash rivers;

No. 5. A bill of the Senate, relative to a certain road in Elkhart county;

Which were severally read a second time and ordered to a third reading on to-morrow.

No. 68. A bill of the House, to repeal a part of an act regulating the taking up animals going astray, and water craft and other articles of value adrift;

Which was read a second time and referred to the committee on the judiciary.

No. 67. A bill granting divorces in certain cases;

No. 66. A bill to amend an act entitled "an act applying certain funds to the purposes of education," approved Jan. 31st, 1843;

Which were severally read a second time,

And on motion,

Referred to the committee on the judiciary.

No. 65. A bill to reduce the expenses of the State government, and to abolish the offices of commissioner on the Wabash and Erie canal, east and west of Tippecanoe river;

Read a second time, and

On motion of Mr. Gorman,

Was laid on the table.

No. 64. A bill to restrict the assesssment of a poll tax within the county of Spencer;

No. 61. A joint resolution for a lighthouse at City West;

No. 60. A joint resolution in relation to certain repairs on the bridge across white river, on the National road;

Which were severally read a second time and ordered to be engrossed for a third reading on to-morrow.

No. 63. A joint resolution in relation to a road from Noblesville to Peru;

Which was read a second time, and

On motion of Mr. Edmonston,

Referred to the committee on roads.

No. 62. A joint resolution authorizing the Governor of the State of Indiana to employ some suitable person to appear in the Supreme court of the United States, in defence of our appraisement and execution laws;

Which was read a second time, and

On motion of Mr. Macy,

Referred to the committee on the judiciary.

No. 59. A joint resolution on the subject of reducing the salaries and pay of officers of the General Government;

Which was read a second time, when

Mr. Edmonston moved to indefinitely postpone the same;

Mr. Hardin moved to lay the same on the table;

And the ayes and noes having been demanded by Messrs. Garrett and Rich :

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Athon, Barbour, Blakemore, Boone, Byers, Chambers, Clark of Tippecanoe, Cowen, Cuppy, Engle, Foley, Fuller, Halbert, Hannah, Hardin, Helwig, Hobbs, Hostetter, James, Keimer, McConnell, McDonald, Miller of Vanderburgh, Montague, Nees, Parker, Simonson, Turman, Verbrike, Woolman, and Mr. Speaker.—32.

Those who voted in the negative are,

Messrs. Allen of Putnam, Barrett, Bearss, Bowles, Burton, Chapman, Clark of Hamilton, Coffin, Conner, Dowling, Edger, Edmonston, Ferry, Ford, Forseman, Garrett, Gilbert, Gregory, Harris. Harrison, Hiatt, Hodges, Holloway, Huddleston, Hurlbut, Jones of Fountain, Jones of Franklin, Kerr, Lee of Jefferson, Lee of Posey, Logan of Pike, Logan of Washington, Matheny, McClure, McRae, Mickle, Miller of Crawford, Montgomery, Mooney, Moore, Morgan, Norvell, Nutter, O'Neal, Palmer, Reed, Rich, Robbins, Roberts of Laporte, Roberts of Putnam, Saffer, Seller, Simpson, Smith, Spicknall, Sutherland, Tevis, Williams, Williamson, and Wolfe—60.

Which motion to lay on the table did not prevail.

The question then recurring on Mr. Edmonston's motion to indefinitely postpone;

And before any action was had thereon,
The House, on motion,
Adjourned until 2 o'clock P. M.

2 o'clock P. M.

The House met.
Mr. Logan of Washington moved a call of the House;
The clerk then proceeded with the call;
When it appeared that the absentees were Messrs. Kelly, McAlister, Handy and Lee of Posey.
Messrs. Kelly and McAlister being excused on account of indisposition.

On motion of Mr. Hardin,
The further call of the House was suspended.
The House then resumed the

ORDERS OF THE DAY.

The Speaker announced the order to be on Mr. Edmonston's motion to indefinitely postpone joint resolution No. 59;
And the ayes and noes having been demanded by Messrs. Garrett and Rich:

Those who voted in the affirmative are,

Messrs. Athon, Blakemore, Boone, Bowles, Byers, Chambers, Clark of Tippecanoe, Cowen, Edmonston, Foley, Fuller, Keimer, Macy, McConnell, McDonald, McRae, Miller of Crawford, Miller of Vanderburgh, Montague, Parker, Robbins, Saffer, Seller, Simonson, Turman, Wright and Mr. Speaker—27.

Those who voted in the negative are,

Messrs. Allen of Laporte, Allen of Putnam, Barbour, Barrett, Bearss, Burton, Chapman, Clark of Hamilton, Coffin, Conner, Cuppy, Dowling, Edger, Elder, Engle, Ferry, Ford, Forseman, Garrett, Gilbert, Gregory, Halbert, Hannah, Hardin, Harris, Harrison, Helwig, Hiatt, Hobbs, Hodges, Holloway, Hostetter, Huddleston, Hurlbut, James, Jones of Fountain, Jones of Franklin, Kerr, Lee of Jefferson, Lee of Posey, Logan of Pike, Logan of Washington, Matheny, McClure, Mickle, Montgomery, Mooney, Moore, Morgan, Nees, Norvell, Nutter, O'Neal, Palmer, Reed, Rich, Roberts of Laporte, Roberts of Putnam, Shelby, Simpson, Smith, Spicknall, Sutherland, Tevis, Verbrike, Williams, Williamson, Wolfe and Woolman—69.

So the joint resolution was not indefinitely postponed.

Mr. Dowling moved to refer said joint resolution to the committee on federal relations;

And the ayes and noes having been demanded by Messrs. Rich and Clark of Hamilton:

Those who voted in the affirmative are,

Messrs. Allen of Putnam, Barbour, Barrett, Blakemore, Boone, Bowles, Burton, Byers, Chambers, Clark of Tippecanoe, Coffin, Chapman, Cowen, Cuppy, Dowling, Edger, Elder, Engle, Ferry, Foley, Ford, Forseman, Fuller, Garrett, Gilbert, Gorman, Gregory, Halbert, Hannah, Hardin, Harris, Helwig, Hiatt, Hodges, Holloway, Hostetter, Huddleston, Hurlbut, James, Jones of Fountain, Jones of Franklin, Keimer, Kerr, Lee of J., Lee of P., Logan of Pike, Macy, McClure, McConnell, Mickle, Miller of Vanderburgh, Montgomery, Mooney, Moore, Morgan, Nees, Norvell, Nutter, O'Neal, Palmer, Parker, Reed, Roberts of Laporte, Robbins, Roberts of Putnam, Seller, Simonson, Simpson, Smith, Spicknall, Sutherland, Turman, Verbrike, Williams, Williamson, Wolfe, Woolman, Wright and Mr. Speaker. —80.

Those who voted in the negative are,

Messrs. Allen of Laporte, Athon, Bearss, Clark of Hamilton, Edmonston, Harrison, Logan of Washington, Matheny, McDonald, McRae, Miller of Crawford, Montague, Rich, Saffer, Shelby, and Tevis. —16.

So said motion prevailed.

The following message was received from the Senate by Mr. Otto, their Principal Secretary:

Mr. Speaker:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill of the House without amendment:

No. 89. An act regulating the salary of the county auditor in the county of Fountain.

No. 78. A bill for the relief of George Mickle;

Which was read a second time, and

On motion of Mr. Moore,

Was referred to the committee on canals and internal improvements.

No. 76. A bill to re-locate a state road in Sullivan county;
Which was read a second time, and
On motion of Mr. Edmonston,
Referred to the committee on roads.

No. 72. A bill regulating elections in the counties of Adams and Jay;

Which was read a second time and ordered to be engrossed for a third reading.

The further orders of the day were passed over informally.

The Senate then came into the Hall of the House of Representatives, and took their seats on the right of the Speaker's chair, the President of the Senate on the right of the Speaker, and both Houses in convention, then as on yesterday, proceeded to the 21st ballot for Treasurer of State, and on counting the votes, it appeared that

Thomas L. Smith received	70	votes.
Royal Mahew "	72	"
F. E. Goodsell "	1	vote.
N. B. Palmer "	1	"
—— Brackenridge "	1	"
Scattering	4	votes.

No person having received a majority of the whole number of votes given, the convention, then,in like manner, proceeded to the 22d ballot, and upon counting the votes, it appeared that

Royal Mayhew received	83	votes.
Tohmas L. Smith "	65	"
George H. Dunn "	1	vote.

Royal Mahew having received a majority of all the votes given, was, by the President of the Senate, in presence of both Houses of the General Assembly, declared duly elected Treasurer of State, for the State of Indiana, for the term of three years, from and after the 15th day of February, 1844.

The convention then, in like manner, proceeded to the election of Auditor of Public Accounts, and upon counting the votes on the first ballot, it appeared that

Morris Morris received	65	votes.
Amzi L. Wheeler "	30	"
John C. Parker "	25	"
Horatio J. Harris "	12	"
John P. Dunn "	11	"
James McConnell "	2	"
N. B. Palmer "	1	vote.
Scattering	2	votes.

No person having received a majority of all the votes given, the convention then, in like manner, proceeded to a second ballot, and on counting the votes, it appeared that

Morris Morris	received	53	votes,
Amzi L. Wheeler	"	29	"
John C. Parker	"	34	"
Horatio J. Harris	"	14	"
John P. Dunn	"	12	"
James McConnell	"	3	"
— Brackenridge	"	1	vote.
— Mayhew	"	1	"
Scattering		1	"

Neither of the candidates having received a majority of the whole number of votes given, the convention, in like manner as before, proceeded to a third balloting, when it appeared that

Horatio J. Harris	received	52	votes.
John C. Parker	"	52	"
Amzi L. Wheeler	"	19	"
Morris Morris	"	12	"
John P. Dunn	"	8	"
James McConnell	"	2	votes.
Wm. J. Peaslee	"	1	vote.
—— Brackenridge	"	1	vote.
Scattering		1	"

Neither of the gentlemen having received a majority of all the votes given, the convention then, in like manner, proceeded to a 4th balloting, which resulted as follows;

Horatio J. Harris	received	64	votes.
John C. Parker	"	52	"
Amzi L. Wheeler	"	15	votes.
John P. Dunn	"	7	"
James McConnell	"	2	"
Wm. J. Peaslee	"	2	"
Morris Morris	"	1	vote.
—— Brackenridge	"	3	votes.
Handy	"	1	vote.

Neither of the candidates having yet received a majority of the whole number of votes given, the convention then, in like manner, proceeded to a fifth balloting, which terminated as follows:

Horatio J. Harris	received	69	votes.
John C. Parker	"	42	"
Amzi L. Wheeler	"	15	"
John P. Dunn	"	7	"
—— Brackenridge	"	7	"
Morris Morris	"	2	"
Wm. J. Peaslee	"	2	"
Scattering		2	votes.

Neither Gentlemen having received a majority of all the votes given,

The President of the Senate adjourned the convention until Monday, half past 2 o'clock, P. M.

And on motion,

The House adjourned till Monday morning, 9 o'clock.

MONDAY MORNING, DEC. 18th, 1843.

The House met pursuant to adjournment.

Mr. Gorman asked and obtained leave to introduce

No. 101. A bill to provide for the election of Agent of State, State Printers, Commissioner or Superintendent on the Wabash and Erie canal, and other officers, by *viva voce*;

Read a first and second times,

The rule being suspended therefor; when

Mr. Parker moved to commit the bill to the committee on elections;

The ayes and noes were demanded by Messrs. Moore and Fuller:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Barbour, Barrett, Bearss, Blakemore, Clark of Hamilton, Coffin, Dowling, Foley, Ford, Forseman, Garrett, Gilbert, Hannah, Harris, Harrison, Hiatt, Hodges, Holloway, Huddleston, Hurlbut, James, Kerr, Lee of Jefferson, Lee of Posey, Macy, Matheney, Miller of Vanderburgh, Morgan, Nutter, Parker, Reed, Rich, Roberts, of Laporte, Seller, Shelby, Simpson, Sutherland, Tevis, Verbrike and Williamson.—41.

Those who voted the negative are,

Messrs. Allen of Putnam, Athon, Boone, Bowles, Burton, Byers, Chambers, Chapman, Clark of Tippecanoe, Conner, Cowen, Cuppy, Edger, Elder, Edmonston, Engle, Ferry, Fuller, Gorman, Gregory, Halbert, Handy, Helwig, Hostetter, Jones of Fountain, Jones of Franklin, Keimer, Logan of Pike, Logan of Washington, M'Clure, McConnell, McRae, Mickle, Miller of Crawford, Montgomery, Montague, Mooney, Moore, Nees, Norvell, O'Neall, Palmer, Robbins, Roberts of Putnam, Saffer, Simonson, Smith, Spicknall, Turman, Williams, Wolfe, Woolman, Wright, and Mr. Speaker.—55.

So said motion did not prevail.

Mr. Moore moved to suspend the rules and consider the bill as engrossed, and

Read a third time now;

And the ayes and noes having been demanded by Messrs. Parker and Dowling;

Those who voted in the affirmative are,

Messrs. Allen of Putnam, Athon, Boone, Bowles, Burton, Byers, Chambers, Chapman, Clark of Tippecanoe, Cowen, Cuppy, Edger, Edmonston, Elder, Engle, Ferry, Fuller, Gorman, Halbert, Handy, *H*arris, Helwig, Hostetter, Jones of Foutain, Jones of Franklin, Keimer, Logan of P. Logan of W. Matheny, McClure, McDonald, McConnell, McRae, Miller of C., Mickle, Montgomery, Mooney, Moore, Nees, Norvell, O'Neal, Palmer, Robbins, Roberts of Putnam, Saffer, Simonson, Smith, Spicknall, Sutherland, Turman, Williams, Wright, and Mr. Speaker.—52.

Those who voted in the negative are,

Messrs. Allen of Laporte, Barbour, Barrett, Bearss, Blakemore, Byers, Clark of Hamilton, Coffin, Conner, Dowling, Foley, Ford, Forseman, Garrett, Gilbert, Gregory, Hannah, *H*arrison, *H*iatt, *H*odges, *H*olloway, *H*uddleston, *H*urlbut, James, Kerr, Lee of Jefferson, Lee of Posey, Macy, Miller of Vanderburgh, Montague, Morgan, Nutter, Parker, Reed, Rich, Roberts of Laporte, Seller, Shelby, Simpson, Tevis, Verbrike, Williamson, Wolfe, and Woolman.—44.

There not being two-thirds voting in the affirmative, the motion was lost.

The bill was then ordered to be engrossed for a third reading on to-morrow.

PETITIONS WERE PRESENTED.

By Mr. Halbert, of citizens of Martin county, praying the passage of an act to re-locate the county seat of said county;

Which was referred to a select committee of Messrs. Halbert, Forseman, and Chambers.

By Mr. Ferry, of A. S. Johns and others of the city of Fort Wayne in referrence auctioneers;

Which was referred to a select committee of Messrs. Ferry, Norvell, and James.

By Mr. Mickle, of Chas. Nelson, praying leave to build a dam across the Wabash river;

Which was referred to a select committee of Messrs. Mickle Rich and Keimer;

By Mr. Cuppy, of citizens of Whitley county, asking the passage

of a law granting pre-emptions upon canal lands in said county;

Which was referred to the committee on canals and internal improvements.

By Mr. Bearss, praying a division of school district No. 8, in township No. 29, in range, No. 4 and 5, in Miami county;

Which was referred to a select committee of Mess. Bearss, Moore, and Miller of Vanderburgh.

By Mr. Athon, the remonstrance of citizens of Charlestown, against repealing the law vacating Oak street, and certain alleys in said town.

Mr. Athon moved to take from the table the petition of *Wm.* Demar and others, or the same subject;

Which motion prevailed.

Then on his motion,

The petition, together with the above remonstrance, were referred to the committee on corporations.

REPORTS FROM STANDING COMMITTEES.

Mr. Norvell, chairman of the committee on education, made the following report:

Mr. Speaker:

The committee on education to whom was referred the petition praying for the relief of Peter Everhart of Scott county, in township No. 4, range 7, relative to the relinquishing certain school lands purchased by said Everhart in said congressional township, have had the same under consideration, and directed me to report the following bill and reccommend its passage:

No. 102. A bill for the relief of Peter Everhart; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Mickle from the committee on the State Bank, made the following report:

Mr. Speaker:

The committee on the State bank, to whom was referred bill No. 22, entitled "a bill to authorize the transfer of bank stock in payment of saline lands," have had the same under consideration, and after a careful examination of the whole matter, have directed me to report the same back to the House, and ask its indefinite postponement, and ask to be discharged from the further condideration thereof;

The question recurred,

Will the House concur in the above report?

And the ayes and noes having been demanded by Messrs. Bowles and Mooney;

Those who voted in the affirmative are,

Messrs. Allen of Putnam, Athon, Blakemore, Byers, Chambers, Chapman, Clark of Hamilton, Clark of Tippecanoe, Cuppy, Edger, Edmonston, Elder, Engle, Ferry, Foley, Ford, Forseman, Gilbert, Gorman, Halbert, Hannah, Harris, Hiatt, Hodges, Holloway, Huddleston, Hurlbut, James, Keimer, Lee of Jefferson, Logan of Pike, Matheny, McClure, McConnell, McRae, Mickle, Montague, Montgomery, Moore, Nees, Norvell, O'Neal, Palmer, Reed, Robbins, Roberts of Putnam, Saffer, Simonson, Simpson, Smith, Spicknall, Sutherland, Tevis, Turman, Verbrike, Williamston, Williams, Wright and Mr. Speaker—60.

Those who voted in the negative are,

Messrs. Allen of Laporte, Bearss, Boone, Bowles, Burton, Coffin, Conner, Cowen, Dowling, Garrett, Gregory, Handy, Harrison, Helwig, Hobbs, Hostetter, Jones of Franklin, Kerr, Lee of Posey, Logan of Washington, McDonald, Miller of Crawford, Miller of Vanderburgh, Mooney, Morgan, Nutter, Parker, Roberts of Laporte, Seller, Wolf, and Woolman..—31.

So the House concurred in said report.

REPORTS FROM SELECT COMMITTEES.

Mr. Jones of Franklin, from a select committee, made the following report:

Mr. Speaker:

The select committee to whom was referred the petition of Samuel Rockafellar, in relation to damages sustained by the construction of the White Water canal, have had the same under consideration and have directed me to report the following bill and respectfully request its passage:

No. 103. A bill for the relief Samuel Rockafeller of Franklin county; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Ferry from a select committee, made the following report:

Mr. Speaker:

The select committee to whom was referred the petition A. S. Johns and other citizes of the city of Fort Wayne in relation to the licensing of auctioneers in said city, have had the same under consideration and have instructed me to report the following bill:

No. 104. A bill concerning licensing auctioneers in the city of Fort Wayne; which was

Read a first time and passed to a second reading on to-morrow.

RESOLUTIONS OF THE HOUSE.

Mr. Dowling of Vigo, introduced the following resolution:

Resolved, That Michael G. Bright, Esq., Agent of State, be requested to communicate to this House at his earliest convenience, a detailed statement of his travelling expenses, clerk hire, lawyer's fees, (if any,) with the aggregate amount for all purposes charged against the State for such agency, during the past year;

Which was adopted;

Mr. James offered for adoption the following resolution:

Resolved, That the judiciary committee be instructed to enquire into the expediency of so amending the execution law as to give the execution plantiff, in all debts hereafter to be created, the power of selecting the property subject to execution, and report by bill or otherwise;

Which was not adopted.

Mr. Wright offered for adoption the following resolution:

Resolved, That the committee on education be instructed to enquire into the expediency of so altering the laws as to enable administrators, executors, and guardians to collect debts due minor heirs; that all debts due minor heirs on all notes, mortgages, and accounts, in the hands of administrators, guardians, and executors shall be collected, and property levied upon for the benefit of, or to satisfy any judgment in favor of minor heirs, shall not be required to bring more than half its appraised value:

Be it further Resolved, That the committee be instructed to report a bill to this House in compliance with the above resolution;

Which was not adopted.

On motion of Mr. Blakemore,

Resolved, That the judiciary committee be required to equire into the expediency of passing a law authorizing the Secretary of State to cause to be printed and put up in pamphlet form, for the use of constables, the law of this State regulating the duty of constables, the law regulating the duty of justices of the peace, and the execution law, and distributed to the different counties of this State, a sufficient number of them, at the time of distributing the printed laws.

On motion of Mr. Edmonston,

The resolution proposing a day for the adjournment of the General Assembly, *sine die*, was taken from the table;

The question then recurring upon

Mr. Moore's proposed amendment, to Mr. Edmonston's amendment fixing the 25th day of December instant, as the day for the adjournment of the two Houses of the General Assembly;

Which was not adopted.

The question then recurred upon the proposed amendment of Mr.

Edmonston, fixing the 9th day of January next as the day for the adjournment; when

Mr. Edmonston moved to amend his proposed amendment as follows: strike out the 9th January next, and insert the 15th of January next.

Mr. Gregory moved to lay the whole matter on the table;

Which did not prevail.

The question being upon the proposed amendment of Mr. Edmonston to his first amendment;

The ayes and noes were demanded by Messrs. Logan of Pike, and Matheny.

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Allen of Putnam, Athon, Barbour, Barrett, Blakemore, Bearss, Boone, Burton, Byers, Chambers, Clark of Tippecanoe, Cowen, Edmonston, Elder, Engle, Foley, Fuller, Garrett, Gilbert, Gorman, Halbert, Handy, Hardin, Harris, Harrison, Hiatt, Hobbs, Hodges, Holloway, Hostetter, Huddleston, Hurlbut, James, Jones of Fountain, Jones of Franklin, Keimer, Kerr, Lee of Jefferson, Lee of Posey, Logan of Pike, Matheny, McClure, McConnell, Miller of Crawford, Miller of Vanderburgh, Montague, Montgomery, Mooney, Morgan, Nees, Norvell, Nutter, O'Neall, Palmer, Parker, Reed, Robbins, Roberts of Laporte, Roberts of Putnam, Seller, Simonson, Shelby, Simpson, Smith, Spicknall, Sutherland, Tevis, Turman, Verbrike, Williams, Williamson, Wolfe, Woolman, and Mr. Speaker.—75.

Those who voted in the negative are,

Messrs. Bowles, Chapman, Clark of Hamilton, Coffin, Conner, Cuppy, Edger, Ferry, Ford, Forseman, Gregory, Hannah, Helwig, Logan of Washington, Macy, McDonald, McRae, Mickle, Moore, Rich, Saffer, and Wright.—22.

So the proposed amendment to the amendment was adopted.

Mr. Smith proposed the following amendment:

That the General Assembly of the State of Indiana will adjourn when they get through with legislative business;

Which amendment was not adopted.

The question then recurring,

Shall the resolution as amended be adopted?

It was decided in the affirmative.

Ordered, That the Senate be informed thereof.

INTRODUCTION OF BILLS.

Mr. Blakemore introduced,

No. 105. A bill to amend an act entitled "an act relating to the seminary fund in Cass county," approved Feb. 11th, 1843;

Read a first time and passed to a second reading on to-morrow.

Mr. Tevis introduced,

No. 106. A bill for the encouragement of domestic manufactures;

Read a first time and passed to a second reading on to-morrow.

Mr. McRea introduced

No. 107. A bill for the better securing of, and collecting the revenue of the State of Indiana;

Read a first time and passed to a second reading on to-morrow.

Mr. Bowles introduced

No. 108. A bill declaring Lick creek and Lost river, navigable streams and public highways;

Read a first time and passed to a second reading on to-morrow.

Mr. Edger introduced

No. 109. A bill to change the name of Henry Bragg to the name of Henry Rettenour, and for other purposes;

Read a first time and passed to a second reading on to-morrow.

Mr. Burton introduced,

No. 110. A bill to change the name of David Barker to the name of David Dobbins;

Read a first time and passed to a second reading on to-morrow.

Mr. Roberts of Putnam introduced,

No. 111. A bill to repeal an act therein named;

Read a first time and passed to a second reading on to-morrow.

Mr. Conner introduced,

No. 112. A bill to provide for a more uniform mode of doing township business in the county of Hamilton;

Read a first time and passed to a second reading on to-morrow.

Mr. Cuppy introduced,

No. 113. A bill to amend an act to authorize the commissioners of certain counties therein named to equalize the appraisement of real estate in said counties;

Read a first time and passed to a second reading on to-morrow.

Mr. Ferry introduced,

No. 114. A bill amendatory of an act exempting improvements from taxation for county purposes, in certain counties therein named;

Mr. Ferry also introduced,

No. 115. A bill abolishing the office of circuit prosecuting attorney and the salary thereof paid by the state, and for the election of a prosecutiug attorney in each county;

Which were severally read a first time and passed to a second reading on to-morrow.

ORDERS OF THE DAY.

No. 58. A bill reviving and amendatory of an act entitled "An act for the relief of settlers on the Wabash and Erie canal lands, approved Feb. 24th, 1840;

Read a second time, when

On motion of Mr. Gregory,

The same was referred to the committee on canals and internal improvements.

No. 56. A bill to apply all moneys arising from the sale of estrays to the use of common schools;

No. 87. A bill to prevent speculation in treasury notes made receivable for county revenue, and for other purposes;

Were severally read a second time and,

On motion,

Were referred to the committee on the judiciary.

No. 85. A bill to authorize the school commissioner of Pike county to loan the common school fund of Pike county on personal security;

Read a second time, and,

On motion of Mr. Parker,

The same was referred to a select committee of Messrs. Logan of Pike, Parker, and Tevis.

No. 83. A bill to abolish the office of state librarian;

Read a second time, and,

On motion of Mr. Bowles,

Was laid on the table.

No. 82. A bill to extend the time of the payment of taxes and for other purposes;

Read a second time and,

On motion of Mr. Edmonston,

Was referred to the committee on ways and means.

No. 91. A joint resolution in relation to an armory on the western waters;

Read a second time, when

Mr. Verbrike proposed the following amendment:

" By striking out the town of ' Pittsburgh,' and insert in lieu thereof ' Indianapolis.' "

Mr. Parker moved to lay the bill and pending amendment on the table;

Which motion prevailed.

No. 99. A bill authorizing the location and reopening of the Indianapolis and Fort Wayne state road;

Read a second time and,

On motion of Mr. Morgan,

Was referred to the committee on roads.

No. 57. A bill for the relief of John Sankey of Vigo county;

Read a second time, when

Mr. Chapman moved to refer the bill to the committee on canals and internal improvements, with the following instructions:

" Amend so that said applicant pay all expense incurred by the examination unless damages are allowed him;"

Which motion prevailed.

Mr. Rich moved further to instruct the committee to amend "by making a general law on that subject;"

Which motion did not prevail.

On motion of Mr. Hurlbut,

The committee was further instructed to fill the blank in said bill with "one dollar and fifty cents."

No. 74. A bill to abolish the office of the private secretary to the governor of the state of Indiana;

Read a second time, when

Mr. Gorman moved to refer the same to a select committee with the following instructions:

"To allow a reasonable sum for the purpose of employing and paying some person to bear messages during each session of the General Assembly from the governor, not exceeding fifty dollars per session, or a less sum if the same can be done for less."

Mr. Hodges moved to lay the bill and pending motion on the table;

Which motion did not prevail.

The question then recurred on Mr. Gorman's motion to commit with instructions;

It was decided in the negative.

Mr. Dowling moved to indefinitely postpone said bill;

And the ayes and noes having been demanded by Messrs. Moore and Dowling,

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Barrett, Bearss, Blakemore, Chambers, Chapman, Clark of Tippecanoe, Coffin, Cowen, Dowling, Edger, Edmonston, Foley, Gilbert, Gregory, Hardin, Harris, Hobbs, Hodges, Hostetter, Keimer, Kerr, Logan of Pike, Macy, Matheny, McDonald, McRae, Miller of Vanderburgh, Montague, O'Neall, Parker, Roberts of Laporte, Saffer, Simonson, Sutherland, Williams, Williamson, Wolf, Woolman, and Wright.—40.

Those who voted in the negative are,

Messrs. Allen of Putnam, Athon, Barbour, Boone, Bowles, Burton. Byers, Clark of Hamilton, Conner, Cuppy, Elder, Engle, Ferry, Ford, Forseman, Fuller, Garrett, Gorman, Halbert, Handy, Hannah, Harrison, Helwig, Hiatt, Holloway, Huddleston, Hurlbut, Jones of Fountain, Jones of Franklin, Lee of Jefferson, Lee of Posey, Logan of Washington, McClure, McConnell, Mickle, Miller of Crawford, Montgomery, Mooney, Moore, Morgan, Nees, Norvell, Nutter, Palmer, Reed, Rich, Robbins. Roberts of Putnam, Seller, Simpson, Smith, Spicknall, Tevis, Turman, Verbrike, and Mr. Speaker.—56.

So the bill was not indefinitely postponed.

Then, on motion,

The House adjourned till 2 o'clock, P. M.

2 *o'clock P. M.*

The House met, and resumed the

ORDERS OF THE DAY.

The question being, shall

No. 74. A bill to abolish the office of private secretary to the governor of the state of Indiana,

Be engrossed for a third reading on to-morrow?

It was decided in the affirmative.

No. 75. A bill to extend the provisions of certain laws therein named to the county of Wabash;

Read a second time, and,

On motion of Mr. Moore,

Was referred to the committee on ways and means.

No. 81. A bill creating the county of Cicero;

Read a second time, when

Mr. Parker moved to amend by striking out "Cicero," and inserting "Tipton;"

Which was adopted by *unanimous* consent of the House; then,

On motion,

Said bill was referred to a select committee of Messrs. Conner, Clark of Hamilton, Woolman, Blakemore, Bearss, and Byers.

Mr. Moore moved to reconsider the vote taken on the reference of bill No. 75 to the committee on ways aud means;

Which motion prevailed.

The question then being,

Shall the bill be referred to the committee on ways and means?

It was decided in the negative.

The bill was ordered to be engrossed for a third reading on to-morrow.

No. 77. A bill to amend an act entitled "An act to value the property of this state," app. Feb. 12th, 1843;

Read a second time, and,

On motion of Mr. Edmonston,

Referred to the committee on ways and means.

No. 71. A bill to preserve the purity of elections in Floyd county;

Read a second time, when

Mr. Barbour moved to recommit the bill with instructions "to amend so as to provide for the registration of the voters of said county in such manner as the committee may think expedient."

On motion of Mr. Dowling,

The bill and pending motion of Mr. Barbour, were laid on the table.

No. 96. A bill to exempt certain lands in the counties of Randolph and Delaware from taxation;

Read a second time and,

On motion of Mr. Moore,

Referred to the committee on ways and means.

No. 93. A joint resolution in relation to a canal at the falls of the Ohio river;

No. 88. A bill vacating a certain alley therein named in the town of Delphi;

Which were severally read a second time and ordered to be engrossed for a third reading on to-morrow.

No. 90. A bill defining the duties of county auditors and treasurers in this state;

Read a second time and,

On motion of Mr. Parker,

Was referred to the committee on ways and means.

The Senate now came into the hall of the House, and took their seats on the right of the Speaker's chair; the President of the Senate on the right of the Speaker.

The convention then, in like manner as before, proceeded to a sixth ballot for Auditor of State, and on counting the votes, it appeared that

Horatio J. Harris received	67	votes.
John C. Parker "	38	"
John P. Dunn, "	15	"
A. L. Wheeler, "	14	"
Charles H. Test "	3	"
Geo. H. Dunn "	1	"
R. Brackenridge "	6	"
Morris Morris "	2	"
Scattering,	1	"

Neither of the gentlemen having received a majority of the whole number of votes given, the convention, in like manner, proceeded to a seventh ballot, and on counting the votes it appeared that

Horatio J. Harris received	66	votes.
John C. Parker "	38	"
John P. Dunn "	14	"
A. L. Wheeler "	5	"
C. H. Test "	3	"
R. Brackenridge "	4	"
Morris Morris "	14	"
W. W. Wick "	1	"
——— Jennison "	1	"
Scattering,	2	"

No person having received a majority of all the votes given, the convention proceeded to an eighth ballot, and on counting which it appeared that

H. J. Harris	received	66 votes.
Morris Morris	"	18 "
John C. Parker	"	40 "
John P. Dunn	"	13 "
Charles H. Test	"	1 "
R. Brackenridge	"	4 "
Scattering		5 "

No person having received a majority of the whole number of votes given, the convention proceeded to a ninth ballot, which resulted as follows:

H. J. Harris	received	71 votes.
Morris Morris	"	11 "
John C. Parker,	"	40 "
John P. Dunn	"	18 "
R. Brackenridge	"	2 "
C. H. Test	"	1 "
J. P. Drake	"	1 "
Scattering		3 "

Neither of the gentlemen having yet received a majority of the whole number of votes given, the convention, in manner aforesaid, proceeded to a tenth ballot, and on counting the votes, it appeared that

Horatio J. Harris	received	79 votes.
John C. Parker	"	28 "
John P. Dunn	"	21 "
Morris Morris	"	7 "
G. H. Dunn	"	5 "
F. E. Goodsell	"	1 "
Oliver H. Smith	"	1 "
R. Brackenridge	"	1 "
Scattering		3 "

Horatio J. Harris having received a majority of all the votes given, was, by the President of the Senate, in presence of both houses of the General Assembly, declared duly elected Auditor of State for the state of Indiana, for the term of three years from the 24th day of January, 1844, and until his successor is elected.

The President of the Senate adjourned the convention *sine die.*

The Senate then retired.

And, on motion,

The House adjourned till to-morrow morning, 9 o'clock.

TUESDAY MORNING, DEC. 19th, 1843.

The House met pursuant to adjournment.

The following message was received from the Senate by Mr. Otto, their Principal Secretary:

MR. SPEAKER:

The Senate has adopted the following resolution:

Resolved, That the Senate will, the House of Representatives concurring therein, proceed this day at half past ten o'clock, A. M., to the election of President Judges of the several judicial circuits, where vacancies have occurred by the expiration of the term of service of the present incumbents;

Messrs. Carr of Jackson and Orth were appointed tellers on the part of the Senate.

On motion of Mr. Chapman,

The resolution in relation to the election of President Judges in the above message mentioned,

Was reciprocated by the House.

Ordered, That the Senate be informed thereof.

PETITIONS WERE PRESENTED.

By Mr. Hodges,

Of Alexander Beard of Vigo county, in relation to work done on Cross-cut canal;

Which was referred to the committee on canals and internal improvements.

By Mr. Helwig,

Of citizens of Steuben county, praying the passage of a law raising road tax to a higher rate in said county;

Which was referred to a select committee of Messrs. Helwig, Hobbs and Mickle.

By Mr. Clark of Tippecanoe,

Of citizens of Sheffield township, in Tippecanoe county, praying relief;

Which was referred to the committee on ways and means.

REPORTS FROM STANDING COMMITTEES.

Mr. Matheny, from the committee on ways and means, made the following report:

Mr. Speaker :

The committee of ways and means, to which was referred a bill, No. 32, defining the duties of county treasurer, have had that subject under consideration, and have directed me to report it back as inexpedient to legislate on that subject, and ask to be discharged from the further consideration of that subject;

Which report was concurred in by the House, and the committee discharged from the further consideration of the bill therein named.

Mr. Read, from the committee on ways and means, made the following report:

M. Speaker :

The committee of ways and means, to which was referred a resolution instructing said committee to enquire into the expediency of so amending the laws regulating witness' fees in the circuit and probate courts and before justices of the peace, as to allow said witnesses a reasonable compensation for their services, taking into consideration the distance of travel and the time spent, to be allowed by said courts, have had the same under consideration, and have directed me to report that further legislation of the subject is inexpedient, and the committee ask to be discharged from the subject;

Which report was concurred in by the House, and the committee discharged from the consideration of that subject.

Mr. Hodges, from the committee on education, made the following report:

Mr. Speaker:

The committee on education, to whom was referred bill No. 36, to repeal the 3d section of an act which provides for the reception of certain Treasury Notes for school funds or school lands sold, have had that subject under consideration, and directed me to report the same back to the House, and ask its indefinite postponement;

Which report was concurred in by the House, and bill No. 36, in said report mentioned was indefinitely postponed.

On motion of Mr. Edmonston,

Resolved, That the Senate be invited to attend in the Hall of the House instanter, to proceed to the election of President Judges, to fill the several vacancies which have occurred, and that seats be provided for them on the right of the Speaker's chair.

Messrs. Mooney and Conner were appointed tellers on the part of the House.

Mr. Barbour moved a call of the House;

When the clerk proceeded with the call, it appeared that the ab-

sentees were Messrs. McConnell and Kelly, they having been excused on account of sickness.

The further call of the House was suspended;

When the Senate came into the Hall of the House of Representatives, and took their seats on the right of the Speaker's chair, the President of the Senate on the right of the Speaker, and proceeded by joint ballot to the election of President Judge, for the ninth judicial circuit of the State of Indiana, and on counting the first ballot, it appeared that

John B. Niles	received - - -	71 votes.
Ebenezer M. Chamberlain	received	75 "
Scattering - - -		1 vote.

Ebenezer M. Chamberlain having received a majority of the whole number of votes given, was, by the President of the Senate, in presence of both Houses, declared duly elected President Judge of the ninth judicial circuit, to serve as such for the term of seven years from and after this day.

Both Houses then, in like manner, proceeded to the election of a President Judge of the seventh judicial circuit, and on counting the first ballot, it appeared that

John Law	received - -	75 votes.
Delana R. Eckles	" - -	61 "
Amory Kinney	" - -	5 "
—— McKinney	" - -	3 "
Scattering - - - -		3 "

John Law having received a majority of the whole number of votes given, was, by the President of the Senate, in presence of both Houses, declared duly elected President Judge of the seventh judicial circuit, to serve as such for the term of seven years, from and after the 25th day of January, 1844.

Both Houses then, in like manner, proceeded to the election of a President Judge of the 6th judicial circuit, and on counting the votes on the first ballot, it appeared that,

Jehu T. Elliott	received - -	83 votes.
Samuel Perkins	" - -	36 "
Andrew Davidson	" - -	24 "
Scattering - - - -		3 "

Jehu T. Elliott having received a majority of the whole number of votes given, was, by the President of the Senate, in presence of both Houses, declared duly elected President Judge of the 6th judicial circuit, to serve as such for the term of seven years from and after the 23d day of January, 1844.

The President of the Senate then adjourned the convention.

The Senate having retired.

On motion of Mr. Chapman,

The House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Conner, chairman of committee on enrolled bills, made the following report:

Mr. Speaker :

The committee on enrolled bills have compared the following enrolled with the engrossed bill and find it correctly enrolled:

No. 89. An act regulating the salary of county auditor in the county of Fountain ;

Whereupon the Speaker signed the same.

Ordered, That the clerk carry the same to the Senate for the signature of the President thereof.

Mr. Edmonston moved a call of the House,

The clerk then proceeded with the call,

When it appeared that the absentees were Messrs. Jones of Fountain, Miller of Vanderburgh, Macy, Parker, Shelby, McConnell and Kelly;

Messrs. McConnell and Kelly were excused on account of indisposition; then

On motion of Mr. Bowles,

The further call was suspended.

Mr. O'Neal, from the committee on education, made the following report:

Mr. Speaker :

The committee on education, to which was referred bill of the House No. 40, entitled an act to repeal in part an act entitled "an act to provide for the reception of certain Treasury Notes in payment of county revenue, and for other purposes," approved January 20th, 1843, have had the same under consideration, and have directed me to report the same back to the House and ask its indefinite postponement.

The question being,

Will the House concur in the report of the committee?

And after discussion thereon,

Mr. Edmonston moved the previous question;

Which was seconded by the House.

The question recurred,

Shall the main question be now put?

It was decided in the affirmative.

That question being,

Will the House concur in the report of the committee?

And the ayes and noes having been demanded by Messrs. Moore and Edmonston:

Those who voted in the affirmative are,

Messrs. Allen of Putnam, Athon, Barbour, Barrett, Boone, Bowles, Byers, Clark of Hamilton, Clark of Tippecanoe, Coffin, Conner, Dowling, Edger, Edmonston, Engle, Foley, Ford, Forseman, Fuller, Garrett, Gilbert, Hardin, Harris, Hobbs, Hodges, Holloway, Hostetter, Huddleston, Jones of Fountain, Jones of Franklin, Kerr, Lee of Posey, Logan of Pike, Logan of Washington, Matheny, McClure, McRae, Miller of Crawford, Miller of Vanderburgh, Montague, Montgomery, Moore, Morgan, Nees, Nutter, O'Neal, Palmer, Parker, Read, Rich, Roberts of Putnam, Saffer, Shelby, Simpson, Smith, Sutherland, Turman, Verbrike, Williams, Williamson, Wolfe, Woolman and Mr. Speaker—61.

Those who voted in the negative are,

Messrs. Allen of Laporte, Bearss, Blakemore, Burton, Chambers, Chapman, Cowen, Cuppy, Elder, Ferry, Gorman, Gregory, Halbert, Handy, Hannah, Harrison, Helwig, Hiatt, Hurlbut, James, Keimer, Lee of Jefferson, McDonald, Mickle, Mooney, Norvell, Robbins, Roberts of Lap., Seller, Simonson, Spicknall, Tevis and Wright—35.

So the report was concurred in by the House.

Mr. Gormon moved to take from the files

No. 101. A bill to provide for the election of Agent of State, State Printer, Commissioner or Superintendent on the Wabash and Erie canal, and other officers by *viva voce*;

Which motion prevailed.

The bill was then read a third time,

And the question recurring,

Shall the bill pass?

And the ayes and noes having been demanded by Messrs. Moore and Gorman:

Those who voted in the affirmative are,

Messrs. Allen of P., Athon, Barbour, Boone, Bowles, Burton, Byers, Chambers, Chapman, Clark of Tippecanoe, Conner, Cowen, Cuppy, Edger, Edmonston, Elder, Engle, Ferry, Ford, Fuller, Garrett, Gorman, Gregory, Halbert, Handy, Hardin, Helwig, Hodges, Hostetter, Jones of Fountain, Jones of Franklin, Keimer, Logan of Pike, Logan of Washington, Matheny, McClure, McDonald, McRae, Mickle, Miller of Crawford, Montgomery, Mooney, Moore, Nees, Norvell, O'Neal, Palmer, Robbins, Roberts of Putnam, Saffer, Simonson, Smith, Turman, Williams, Woolman, Wright and Mr. Speaker.—58.

Those who voted in the negative are,

Messrs. Allen of Laporte, Barrett, Bearss, Blakemore, Clark of Hamilton, Coffin, Dowling, Foley, Forseman, Gilbert, Hannah, Harris, Harrison, Hiatt, Hobbs, Holloway, Huddleston, Hurlbut, James, Kerr, Lee of Jefferson, Lee of Posey, Miller of Vanderburgh, Montague, Morgan, Nutter, Parker, Reed, Rich, Roberts of Laporte, Seller, Shelby, Simpson, Sutherland, Tevis, Verbrike, Williamson, and Wolfe—38.

So the bill passed.

Ordered, That the clerk inform the Senate thereof.

Mr. Bowles moved the adoption of the following resolution:

Resolved, That the committee on ways and means be allowed to employ a clerk at a price not exceeding two dollars per day;

Which did not prevail.

Then, on motion,

The House adjourned until to-morrow morning 9 o'clock.

WEDNESDAY MORNING, DECEMBER, 20th, 1843.

The House met pursuant to adjournment.

Mr. Edmonston moved a call of the House.

When the clerk proceeded to call the roll, it appeared that the absentees were Messrs. Allen of P., Barbour, Bearss, Cowen, Cuppy, Dowling, Edger, Ferry, Forseman, Fuller, Gorman, Halbert, Hardin, Harris, Hiatt, Hobbs, James, Jones of Fountain, Jones of F., Lee of P., Logan of P., Logan of W., Macy, Matheny, McDonald, Mooney, Moore, O'Neal, Palmer, Rich, Robbins, Shelby, Simonson, Turman, Williams, Wolfe, Woolman, Wright, Kelley, and McConnell

Messrs. McConnell and Kelley were excused on account of indisposition; then,

On motion,

The further call of the House was suspended.

On motion of Mr. Keimer,

He is allowed to have his vote changed from the affirmative to the negative, upon the question taken on striking the word "unjust," out of joint resolution No. —— in relation to refunding to General Andrew Jackson, the fine assessed against him by Judge Hall.

PETITIONS WERE PRESENTED.

The Speaker laid before the House the petition of citizens of Carroll county, to have the board of county commissioners the seminary trustees in said county;

Which was, on motion, referred to the committee on education.

By Mr. Coffin,

Of citizens of Pike county, for the completion of that great national thoroughfare between the lakes and the Ohio, by way of the Wabash river:

Which was referred to the committee on federal relations.

By Mr. Macy,

Of E. Dumont, praying that the sale of certain real estate sold by order of the probate court of Dearborn county to Philip Roland and James Mulford, may be legalized;

Which was referred to a select committee of Messrs. Macy, Williams and Nutter.

By Mr. Norvell,

Of John Sheeks, on the subject of a certain tract of school lands;

Which was referred to the committee on education.

REPORTS FROM STANDING COMMITTES.

Mr. Bowles, chairman of the committee on ways and means made the following report:

Mr. Speaker:

The committee of ways and means to which was referred a bill of the House No. 82, to extend the time of payment of taxes, and for other purposes, have had the same under consideration, and have directed me to report it back and recommend its indefinite postponement;

From which Messrs. Bowles and Reed dissent.

The question then recurring,

Will the House concur in the report of the committee?

It was decided in the negative; then

On motion of Mr. Dowling,

Bill No. 82. In the report mentioned was recommitted to the committee on ways and means with the following instructions: "to provide that the act shall not take effect in any county until the treasurer shall have filed a new bond; and for approving of the bond, the county board shall call a special session."

A message from the Senate by Mr. Otto, then Secretary.

The Senate has adopted the following resolution:

Resolved, That the Senate will, (the House of representatives concurring therein,) proceed on Wednesday morning next, the 20th instant, at half past ten o'clock, to the election of a superintendent on the Wabash and Erie canal.

Mr. Edmonston moved to lay the resolution mentioned in said message, on the table;

And the ayes and noes having been demanded by Messrs. Edmonston and Ferry;

Those who voted in the affirmative are,

Messrs. Allen of Putnam, Boone, Bowles, Byers, Chapman, Clark of Hamilton, Clark of Tippecanoe, Coffin, Cowen, Cuppy, Dowling, Edger, Edmonston, Ferry, Fuller, Garrett, Gorman, Handy, Helwig, Hodges, Hostetter, Keimer, Kerr, Logan of Pike, Logan of Washington, Macy, Matheney, McAllister, McDonald, McRea, Mickle, Miller of Crawford, Miller of Vanderburgh, Montgomery, Moore, Nees, Norvell, O'Neal, Palmer, Robbins, Roberts of Putnam, Saffer, Simonson, Simpson, Spicknall, Williams, *W*oolman, Wright, and Mr. Speaker.—49.

Those who voted in the negatine are,

Messrs. Allen of Laporte, Athon, Barbour, Barrett, Bearss, Blakemore, Burton, Chambers, Conner, Elder, Engle, Foley, Ford, Forseman, Gilbert, Gregory, Hannah, Hardin, Harris, Harrison, Hiatt, *H*obbs, Holloway, Hudleston, Hurlbut, James, Jones of Fountain, Lee of Jefferson, Lee of Posey, McClure, Montague, Mooney, Morgan, Nutter, Parker, Reed, Rich, Roberts of Laporte, Seller, Shelby, Smith, Sutherland, Tevis, Turman, Verbrike, *W*illiamson, and *W*olfe.—47.

So said motion prevailed.

Mr. Bowles, chairman of the committee on ways and means, made the following report:

Mr. Speaker:

The committee of ways and means to which was referred a bill of the House, No. 90, defining the duties of county auditors and treasurers in this state, have had the same under consideration and directed me to report it back with the following amendment, to wit: after the word "date" in the third section, insert the words "of payment," and recommend its passage.

The amendment of the committee to bill No. 90, in said report mentioned was concurred in by the House, and the bill ordered to be engrossed for a third reading on to-morrow.

Mr. Parker, chairman of the committee on the judiciary, made the following report:

Mr. Speaker:

The judiciary committee to whom was referred a resolution of the

House on the subject of the lien of transcripts of justices judgments, have had the same under consideration and have directed me to report the following bill and recommend its passage:

No. 116. A bill on the subject of *scire facias*, which was

Read a first time and passed to a second reading on to-morrow.

Mr. Parker, chairman of the same committee made the following report:

Mr. Speaker:

The judiciary committee to whom was referred the petition of the publisher of the "Mishawaka Tocsin," and bills No. 33 and 68, of the House in referrence to the publication of estray notices in papers at the seat of government, instead of the county where the estrays are taken up, have had that subject under consideration and have directed me to report that chapter 21 of the Revised Statutes of 1843, which will shortly be in force throughout the State, contains all the law on this subject. By this law it is provided that all estrays exceeding $20 in value, shall be published by the State Printer in some paper at the seat of government. All estrays of a less value, and all water craft, &c., taken up, are required to be advertised in the county where the same are taken up.

But there is another important provision as to these estray notices published by the State Printer, which, it is believed, is not generally known, and hence has arisen the dissatisfaction with this law, that has manifested itself in some quarters during the last few years. This law, and so does the old one, makes it the duty of the State Printer, at his own expense, to transmit one copy of the paper containing these estray notices to each clerk of a circuit court in the State. And the same is required to be filed by the clerk in his office, and kept on file for two years. And the law further provides that if any officer neglects his duty in this behalf, he shall be subject to indictment and a fine of not less than five dollars nor more that one hundred dollars.

Thus made and thus guarded, the committee are of the opinion that this law is now about as well as it can be made. It is obvious, from the provisions of the law, that the estray notices that will be published by the State Printer, will, in almost every instance, be confined to estray horses. These animals are apt to wander much further from their owners than any other animals, going frequently into remote pats of the State. In such cases, publication of the estray notice where the animal is taken up, it can hardly be supposed, would be of any service to the owner. For instance, should a horse stray from a county on the Ohio river, to the neighborhood of the "Mishawaka Tocsin" and be there taken up and published in that paper, it would be the merest accident, should the owner ever see the notice. He would be about as apt to stumble on his stray horse as the notice of him in the "Mishawaka Tocsin." But under the law as it stands,

he may know that if his horse is worth $20, and has been taken up in the State, all he has got to do, to find exactly were he is, is to go to his own county seat and there see it all; together with every other case of the kind that has occurred in the State, for at least, the last two years.

This is deemed by the committee, an admirable improvement upon the prior law, hence they recommend the indefinite postponement of said bill.

The committee, however, find upon referrence to the late Revision and upon consultation with one of the revisors, that a discrepency has occurred in the law, because of an amendment introduced by the committee on the Revision. To remedy this they recommend the passage of the bill herewith reported, and ask to be discharged from the further consideration of this subject.

Which amendment and report were concurred in by the House, and bill

No. 117. A bill correcting a discrepency in the estray law, was

Read a first time and passed to a second reading on to-morrow.

Mr. Logan of Washington, chairman of the committee on military affairs, made the following report:

Mr. Speaker:

The committee on military affairs, to whom was referred a resolution of this House instructing them to enquire into the expediency of so amending the militia law as to repeal the first, second, and third sections of an act for the better regulation of the militia of the State of Indiana, approved Feb. 24th, 1840, and to revive so much of an act of 1831, which had been repealed by said act; and also the propriety of the revision of the militia law, and to penalize officers according to rank, to compel them to do their duty as enjoined on them by law, and soldiers in like manner, also a petition of a number of citizens of Warrick county, on the same subject, have had the subjects therein contained under consideration, and have directed me to report that it is their opinion from a late vote given by this House a few days since, inexpedient to attempt to legislate on those subjects at this time, and ask to be discharged from the further consideration thereof;

Which was concurred in and the committee discharged from the further consideration of the subject.

Mr. Cuppy, of the committee on claims, made the following report:

Mr. Speaker:

The committee on claims, to whom was referred the petition of Alvin and William Carpenter, on the subject of vacating a certain town therein named, have had that subject under consideration, and have directed me to report the same back to the House, and request

its reference to the committee on corporations, believing that to be the most appropriate committee to investigate that subject, and ask to be discharged from the further consideration of the same;

Which was concurred in, and the petition therein named was referred to the committee on corporations.

Mr. Blakemore, of the committee on claims, made the following report:

Mr. Speaker:

The committee on claims, to whom was referred the petition of sundry citizens of the county of Cass, on the subject of a deficiency in certain canal lands purchased by them, have had the same under consideration, and have directed me to report the following bill, and recommend its passage:

No. 118. A bill for the relief of the owners of certain canal lands therein mentioned, lying in the county of Cass;

Which was

Read a first time and passed to a second reading on to-morrow.

Mr. Chapman, chairman of the committee on roads, made the following report:

Mr. Speaker:

The committee on roads, to whom was referred a joint resolution on the subject of instructing our Senators, and requesting our Representatives in Congress, to use their influence to procure a grant of land of the alternate section on each side of a road through the Miami Reserve, to be located from Noblesville in Hamilton county, to Peru in Miami county, have had the same under consideration, and a majority of said committee have directed me to report the same back to the House, and ask its reference to the committee on federal relations, and ask to be discharged from the further consideration of said resolution;

Which report was concurred in, and the joint resolution therein named was referred to the committee on federal relations.

Mr. Morgan, of the committee on roads, made the following report:

Mr. Speaker:

The committee on roads, to which was referred a resolution of the House instructing them to enquire into the expediency of repealing so much of the road law as authorizes county boards to levy a road tax on real and personal estate, have had that subject under consideration and instructed me to report, that in the opinion of the committee it would be highly inexpedient, unjust, and anti-democratic, to make such change in the law, because, then all men would have to work

alike on highways, the poor as much as the rich, this cannot be just, for the reason that the owners of property get value received for the tax paid and labor expended for the improvement of roads in the increased facilities it affords for transportation, for the reason that whatever cheapens transportation adds to the value of the produce of the country, and whatever adds to the value of the produce of the soil adds to the value of the soil itself, consequently your committee can see no hardship in requiring the owners of real and personal property to pay a road tax, and if there is any ground of complaint anywhere on this subject, it might come with better grace from those who own no property and are compelled to work for their personal privilege;

With these views, your committee ask to be discharged from the further consideration of the subject.

Which report was concurred in, and the committee discharged from the further consideration thereof.

Mr. Roberts, chairman of the committee on canals and internal improvements, made the following report:

Mr. Speaker:

The committee on canals and internal improvements, to whom was referred a bill of the House, No. 80, repealing an act authorizing the reception of canal scrip for tolls on the Wabash and Erie canal, have had the same under consideration, and have instructed me to report the same back to the Honse, and recommend its indefinite postponement;

The question being,

Will the House concur in the report of the committee ?

And the ayes and noes having been demanded by Messrs. Ferry and Chapman:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Allen of Putnam, Athon, Barrett, Blakemore, Boone, Bowles, Burton, Byers, Chambers, Clark of Tippecanoe, Coffin, Conner, Dowling, Edmonston, Elder, Engle, Foley, Ford, Forseman, Fuller, Garrett, Gilbert, Gorman, Gregory Halbert, Hannah, Hardin, Harris, Harrison, Hiatt, Hobbs, Hodges, Holloway, Hostetter, Huddleston, Jones of Fountain, Keimer, Kerr, Lee of Jefferson, Lee of P., Logan of Pike, Logan of Washington, Macy, Matheny, McClure, McRae, Miller of Crawford, Miller of Vanderburgh, Montague, Montgomery, Moore, Nees, Norvell, Nutter, O'Neal, Palmer, Parker, Reed, Robbins, Roberts of Laporte, Roberts of Putnam, Saffer, Seller, Simonson, Simpson, Smith, Spicknall, Sutherland, Tevis, Turman, Verbrike, Williams, Williamson, Wolfe, Woolman, Wright and Mr. Speaker—79.

Those who voted in the negative are.

Messrs. Barbour, Chapman, Clark of Hamilton, Cuppy, Edger, Ferry, Handy, Helwig, Jones of Franklin, McDonald, Mickle, Mooney, and Morgan—13.

So the report of the committee was concurred in.

Mr. Roberts, chairman of the same committee, made the following report:

Mr. Speaker:

The committee on canals and internal improvements, to which was referred a bill of the House, No. 43, for the relief of settlers on canal lands, have had the same under consideration, and have directed me to report it back to the House and recommend its indefinite postponement, and ask to be discharged from further consideration of the same.

On motion of Mr. Barbour,

Said report and bill were laid on the table.

The following message was received from the Senate by Mr. Doran, their Assistant Secretary:

Mr. Speaker:

The Senate has adopted the following resolution:

Resolved, That the Senate will, the House of Representatives concurring therein, proceed this day at half past two o'clock, P. M., to the election of Agent of State, in which the concurrence of the House is respectfully requested.

Mr. Simonson moved to reciprocate the said resolution, with the following amendment:

By inserting "the superintendent of the Wabash and Erie canal."

On motion of Mr. Parker,

Said resolution and pending amendment were laid on the table.

REPORTS FROM SELECT COMMITTEES.

Mr. Cuppy, from a select committee, made the following report:

Mr. Speaker :

The select committee, to whom was referred a petition for the relief of Stephen Kitson, purchaser of school lands in Kosciusko county, have had that subject under consideration, and have directed me to report the following bill and recommend its passage:

No. 119. A bill for the relief of Stephen Kitson; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Halbert, from a select committee, made the following report:

Mr. Speaker:

The committee to which was referred a petition of the citizens of Martin county, praying an act to provide for the re-location of the seat of justice of said county, have had the same under consideration, and have directed me to report the following bill and recommend its passage:

No. 120. A bill to provide for the re-location of the seat of justice in the county of Martin; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Logan of Pike, from a select committee, made the following report:

Mr. Speaker:

The select committee, to whom was referred bill No. 85, of the House, on the subject of the school fund in Pike county, have had the matter under consideration, and have directed me to report the same back to the House without amendment, and recommend its passage.

On motion of Mr. Parker,

The rule was suspended,

And the bill was considered as engrossed,

And read a third time and passed.

Ordered, That the Senate be informed thereof.

Mr. Elder, from a select committee, made the following report:

Mr. Speaker:

The select committee, to whom was referred a resolution enquiring into the expediency of so amending the appraisement law as to compel appraisers to attend, have had the same under consideration, and beg leave to report the following bill, and recommend its passage;

No. 121. A bill concerning the appraisement law; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Mickle, from a select committee, made the following report:

Mr. Speaker:

The committee to whom was referred the petition of Charles Nelson, asking for the privilege to build a mill dam across the Wabash river, in the county of Adams, have had that subject under advisement, and have directed me to report the following bill, and respectfully ask its passage:

No. 122. A bill to authorize Charles Nelson to build a mill dam across the Wabash river; which was

Read a first time and passed to a second reading on to morrow.

Mr. Helwig, from a select committee, made the following report:

Mr. Speaker:

The select committee to whom was referred the petition of George W. McConnell and others citizens of Steuben county, relative to a certain road therein named, have had the same under consideration, and have directed me to report the following bill, and recommend its passage:

No. 123. A bill declaring a certain road in Stuben county a state road; which was

Read a first time and passed to a second reading on to-morrow.

RESOLUTIONS OF THE HOUSE.

On motion of Mr. Simonson,

Resolved, That so much of the report of the Agent of State as refers to his settlement with Milton Stapp be referred to a select committee of four, and that the accounts for settlement be submitted by said Agent and Stapp to said committee for examination, and that they report thereon;

Ordered, That Messrs. Simonson, Parker, Dowling and Jones of Fountain compose said committee.

On motion of Mr. Logan of Washington,

Resolved, That the committee on education be instructed to enquire into the expediency of reporting a bill applying all the funds arising from the saline lands in Washington, Orange, and Monroe counties, to common school purposes.

The following message was received from the Senate by Mr. Defrees, a Senator:

Mr. Speaker:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill of the House:

No. 46. An act for the benefit of persons who are likely to suffer by the destruction of the records of Miami county by fire, without amendment.

Mr. Norvell, on leave, introduced

No. 124. A bill to apply saline funds to common school purposes;

Which was read a first and second times,

The rule being suspended therefor,

And referred to the committee on education.

Mr. Gorman, on leave, made the following report, from a select committee:

Mr. Speaker:

The select committee, to which was referred the petition of David H. Maxwell, for the vacation of a certain alley in Monroe county, have considered the same, and now report the following bill:

No. 125. A bill to vacate a certain alley in the town of Bloomington, Monroe county; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Ferry introduced the following resolution:

Resolved, That the committee on the judiciary be instructed to report to this House, a bill repealing the law and all parts of laws requiring black or mulatto persons coming within this state to give bond and security in order to enable them to reside therein:

And that said committee be further instructed to enquire into the expediency of providing by law that all negroes, mulattoes, or Indians shall be allowed to testify in courts of justice in all cases, leaving the credibility of their testimony to the court or jury before which their testimony may be heard.

On motion of Mr. Gorman,

Said resolution was laid on the table.

On motion of Mr. Robbins,

Resolved, That a select committee be appointed to enquire into the expediency of making the road tax on real estate in the northern country more uniform; with leave to report by bill or otherwise.

Ordered, That Messrs. Robbins, Allen of Laporte, Cuppy, Cowen, and Keimer, compose said committee.

On motion of Mr. Norvell,

Resolved, That the use of this hall be given to Dr. Evans of Attica, on Friday evening, to lecture on the advantages arising from a lunatic asylum.

On motion of Mr. Moore,

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of securing to married women, the control of all the property they owned at the time of their marriage.

On motion of Mr. Forseman,

Resolved, That the House will, the Senate concurring therein, proceed to the election of President of the State Bank, on Friday next, at 10 o'clock, A. M.

Ordered, That the Senate be informed thereof.

Mr. Nutter offered for adoption the following resolution:

Resolved, That the committee on ways and means be instructed to enquire into the expediency of changing the present mode of raising revenue by direct taxation, into an excise system levied upon the sale of foreign merchandise within the state;

Which was not adopted.

On motion of Mr. Miller of Crawford,

Resolved, That the judiciary committee be requested to enquire into the expediency of so amending the revenue law as to reduce the

fees of the several tax collectors in this state in the following manner: that they shall only receive seven per centum on the first thousand dollars, and six per centum on the second, five per centum on the third, and so on proportionably down; and report to this House as soon as convenient.

On motion of Mr. Simonson,

Resolved, That the committee on the affairs of the state prison be instructed to enquire into the expediency of reporting a joint resolution appointing a committee of three Senators or Representatives of this General Assembly, not resident in the county of Clark, to make a thorough examination of the old and new prison, and every thing relative thereto, including the books, papers, and accounts of the clerk; the internal arrangement, management, and discipline of the prison; and the progress and character of the work on the new prison; and to provide that said committee sit during the recess; that they be required to make report of such examination to the next General Assembly; and that such examination supersede the necessity of appointing a visiter for the present year.

Mr. Halbert offered for adoption the following resolution:

Resolved, That the judiciary committee be instructed to enquire into the expediency of so amending the law now in force regulating the sale of property under execution so that there shall be no provisions in said law to authorize execution plaintiffs to have but one execution against the personal property of any execution defendant when it shall appear from the return of the sheriff or other officer, that a sufficiency of property has been levied on to pay the execution which was so levied on said property, and that said property has been offered for sale under the provisions of the law regulating the sale of property under execution, and that the execution plaintiff has been notified of the time and place of said sale;

Which was not adopted.

On motion of Mr. Morgan,

Resolved, That a select committee of five be appointed to enquire whether the public good does not require some reduction in the fees and salaries of many officers not included in the act passed at the present session of the General Assembly reducing fees and salaries; and that said committee have leave to report by bill or otherwise.

Ordered, That Messrs. Morgan, Rich, Chapman, Moore, and Macy compose said committee. Then,

On motion,

The House adjourned till 2 o'clock, P. M.

2 o'clock P. M.

The House met.

On motion of Mr. Logan of Washington,

The vote on the resolution authorizing the committee on ways and means to employ a clerk was reconsidered;

And the question recurring,
Shall said resolution be adopted?
It was decided in the affirmative.

The Speaker laid before the House the following communication from the Auditor of State:

AUDITOR OF STATE'S OFFICE,
December 20th, 1843.

TO THE HON. ANDREW L. ROBINSON,

Speaker of the House of Representatives:

SIR: Enclosed you have the answers of the treasurers of Johnson, Montgomery, Park, Orange, Monroe, Hamilton, Morgan, Cass, Jennings, Shelby, Vigo, Clinton, and Delaware counties to a circular addressed them from this department, pursuant to a resolution of the House of Representatives on the subject of the salaries of county auditors.

By reference to these it appears that the average amount paid per annum is $311 66 to each county auditor in the named counties.

Respectfully submitted.
M. MORRIS, A. P. A.

Which was,
On motion,
Laid on the table.

Mr. Hannah moved to reconsider the vote taken on the adoption of the resolution authorizing the committee of ways and means to employ a clerk;

And the ayes and noes having been demanded by Messrs. Gregory and Hannah,

Those who voted in the affirmative are,

Messrs. Athon, Chambers, Clark of Hamilton, Coffin, Cowen, Cuppy, Edger, Ford, Gregory, Hannah, Hardin, *H*arris, *H*olloway, Jones of Fountain, Kerr, Lee of Jefferson, Montague, Morgan, Nutter, Rich, Robbins, Seller, Shelby, Simonson, Sutherland, Tevis, Williamson, and Mr. Speaker.—28.

Those who voted in the negative are,

Messrs. Allen of Laporte, Allen of Putnam, Barbour, Barrett, Bearss, Blakemore, Boone, Bowles, Burton, Byers, Chapman, Clark of Tippecanoe, Conner, Dowling, Edmonston, Elder, Engle, Ferry, Foley, Forseman, Fuller, Garrett, *H*arrison, Helwig, *H*iatt, *H*odges, Hobbs, Hostetter, *H*uddleston, *H*urlbut, James, Jones of Franklin, Keimer, Logan of Pike, Logan of Washington, McClure, McDonald, McRae, Mickle, Miller of Crawford, Miller of Vanderburgh, Mont-

gomery, Mooney, Moore, Nees, Norvell, O'Neal, Palmer, Parker, Roberts of Laporte, Roberts of Putnam, Saffer, Simpson, Smith, Spicknall, Turman, Verbrike, Williams, Wolfe, Woolman, and Wright.—61.

So said motion did not prevail.

INTRODUCTION OF BILLS.

Mr. Rich introduced,

No. 126. A bill regulating the rate of tolls on the Wabash and Erie canal;

Which was read a first and second times (the rule being suspended therefor) and,

On motion of Mr. Gregory,

Referred to the committee on canals and internal improvements.

Mr. O'Neall introduced,

No. 127. A bill for the relief of purchasers of congressional school lands;

Mr. Sutherland introduced,

No. 128. A bill to revise and amend an act entitled "An act to establish a board of trustees of the county library of the county of Marion," approved February 11th 1843;

Which were severally read a first time and passed to a second reading on to-morrow.

Mr. Hiatt introduced,

No. 129. A bill to reduce the compensation of the county auditor in the county of Ripley;

Which was read three several times, (the rules being suspended therefor) and passed.

Ordered, That the clerk inform the Senate thereof.

Mr. Saffer introduced,

No. 130. A bill further to amend an act entitled "An act supplemental to an act subjecting personal property to execution," approved January 8th, 1842;

Mr. Logan of Washington introduced,

No. 131. A bill to amend the 4th article of the 16th chapter of the Revised Statutes of 1843, so far as relates to the county of Washington;

Mr. Blakemore introduced,

No. 132. A bill to amend an act entitled "An act to incorporate the Logansport and Wabash Bridge Company;

Mr. Ferry introduced,

No. 133. A bill changing the application of water power at the St. Mary's aqueduct on the Wabash and Erie canal, from the propulsion of a saw mill to that of a grist mill;

Mr. Ferry also introduced,

No. 134. A bill authorizing the building of an aqueduct across the St. Mary's river on the Wabash and Erie canal;

Mr. Engle introduced,

No. 135. A bill to suspend the further issue of five dollar treasury notes in lieu of the fifties;

Mr. Hardin introduced,

No. 136. A bill to provide for the payment of taxes by non-residents through the State Treasury;

Mr. Ferry introduced,

No. 137. A bill amending an act therein named;

Mr. Nutter introduced,

No. 138. A bill relative to the surplus revenue in Union county;

Mr. Macy introduced,

No. 139. A bill to amend an act entitled "An act to provide for the collection of the debt due from the Indianapolis and Lawrenceburgh Railroad Company;

Mr. Halbert introduced,

No. 140. A bill to legalize the acts of the school commissioner of Martin county;

Mr. McRae introduced,

No. 141. A bill to enable the State Bank and Brances of the State of Indiana, to ever continue metallic payments;

Which were severally read a first time and passed to a second reading on to-morrow.

Mr. James, from a select committee, made the following report:

Mr. Speaker:

The select committee to whom was referred a bill

No. 8. To organize a new county out of the county of Dearborn and relocate the county seat thereof,

Have had the same under consideration and have instructed me to report the following bill, to-wit: strike out all after the enacting clause and insert a new bill.

Mr. Wright, from the same committee, made the following counter report:

Mr. Speaker:

The undersigned, one of the select committee to whom was referred a bill for the formation of a new county, to be called Ohio, out of the county of Dearborn, prays leave to file a counter report herein.

As reasons for not concurring in the report made by a majority of said committee the undersigned hereby assigns the following:

1st. That no new county can be formed out of the county of Dearborn containing the number of acres required by the constitution;

2d. That the new county proposed by the bill reported by the majority of said committee does not contain the number of acres required by the constitution;

3d. That there has been kept up, for many years past, an exciting controversy in the county of Dearborn, in relation to the subject matter of this bill, and the location of the county seat, which has been transferred to the legislative halls, thereby greatly prolonging the sessions of the legislature, and increasing the burdens of the people;

4th. That, should the report of the majority of the committee be concurred in, and the bill become the law of the land, other attempts will be made to increase the territory of the new county, by cutting off portions of territory from adjoining ones, by which an exciting controversy will be kept up for many years to come, at the expense of the people; and also believe that no legislature should grant the formation of any county where the territory of the same does not contain the territory of one township, thereby leaving said county encompassed by said township. THOMAS T. WRIGHT.

Mr. Norvell moved to concur in the report as made by Mr. James, with the following amendment:

"Provided that the said new county shall forever remain the same size, and shall not, at any future time, have any portion of the territory from the adjacent counties;"

Which amendment was not adopted.

The question recurring on the concurrence in the report of Mr James;

And the ayes and noes having been demanded by Messrs. Wright and Hannah,

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Allen of Putnam, Athon, Barbour, Barrett, Bearss, Blakemore, Boone, Bowles, Burton. Byers, Chambers, Chapman, Clark of Hamilton, Conner, Cowen, Cuppy, Dowling, Edger, Edmonston, Elder, Engle, Ferry, Foley, Ford, Fuller, Garrett, Gilbert, Gorman, Gregory, Halbert, Handy, Hardin, Harris, Harrison, Helwig, Hiatt, Hobbs, Hodges, Holloway, Hostetter, Huddleston, Hurlbut, James, Jones of Fountain, Jones of Franklin, Keimer, Kerr, Lee of Jefferson, Lee of Posey, Logan of Pike, Logan of Washington, Macy, Matheny, McClure, McDonald, McRae, Mickle, Miller of Crawford, Miller of Vanderburgh, Montague, Montgomery, Mooney, Moore, Morgan, Nees, Norvell, Nutter, O'Neall, Palmer, Parker, Reed, Rich, Roberts of Laporte, Roberts of Putnam, Saffer, Seller, Simonson, Simpson, Smith, Spicknall, Tevis, Verbrike, Williams, Wil-liamson, Wolf, and Woolman.—87.

Those who voted in the negative are,

Messrs. Hannah, Shelby, Sutherland, and Wright.—4.

Sothe amendment and report of said committee were concurred in and the bill ordered to be engrossed for a third reading on to-morrow.

Mr. Ferry introduced,

No. 142. A bill divorcing Sidney Brown of Whitley county from her husband, James Brown, late of said county;

Which was read a first time and passed to a second reading on to-morrow.

Mr. Simonson, on leave, introduced the following resolution:

Resolved, That the clerks of this House be authorized to employ assistants when necessary in the discharge of their several duties;

Which was unanimously adopted.

ORDERS OF THE DAY.

No. 79. A bill authorizing the school commissioner of Vanderburgh county to refund certain moneys;

Which was read a second time, and,

On motion of Mr. O'Neall,

Referred to the committee on education.

No. 97. A bill relative to the church property of the Roman Catholic Church;

Which was read a second time and,

On motion of Mr. Dowling,

Referred to the committee on corporations.

Mr. Norvell moved to reconsider the vote just taken on the reference of bill No. 97;

Which motion prevailed.

Then Mr. Dowling withdrew his motion to refer the same to the committee on corporations.

Mr. Foley proposed the following amendment to the bill:

"Provided that such bishop shall be a naturalized citizen of the United States of America, or shall have expressed his intention so to become, according to the naturalization laws of the United States;"

Which was adopted;

When said bill was,

On motion of Mr. Moore,

Referred to the committee on corporations.

No. 73. A bill amendatory of, and supplemental to, an act ent'l'd "An act providing for the election of three school comissioners in township 14 north, of range No. 7 west, in Park county," approved January 13th 1842;

Which was read a second time, and,

On motion of Mr. Edmonston,

Said bill was amended by striking out so much thereof as requires publication to be made in the public newspapers.

The bill was then ordered to be engrossed for a third reading on to-morrow.

The following message was received from the Senate by Mr. Otto, their Secretary:

Mr. Speaker:

The Senate has reciprocated the resolution of the House of Representatives appointing the fifteenth day of January next as the period for the adjournment, *sine die*, of the present session of the General Assembly.

On motion,

The House adjourned till to-morrow morning, 9 o'clock.

THURSDAY MORNING, DEC. 21st, 1843.

The House met pursuant to adjournment.

The Speaker laid before the House a communication from M. G. Bright, Esq., in obedience to the resolution of the 18th instant, requiring him to communicate to this House at his earliest convenience, a detailed statement of his travelling expenses, clerk hire, lawyer's fees, (if any,) with the aggregate amount for all purposes charged against the State for such agency, during the past year.

Mr. Simonson moved to refer the same to the committee heretofore appointed to examine into the settlement of the Agent of State and Milton Stapp;

Which motion did not prevail.

Then Mr. Simonson having obtained leave, offered the following resolution:

Resolved, That the Agent of State be requested to communicate to this House at his earliest convenience, a detailed statement of the travelling expenses, clerk hire, lawyer's fees, (if any,) with the aggregate amount for all purposes charged against the State by each of the fund commissioners for the several years they acted as such commissioners, or Agent of State;

Mr. Williamson moved to lay the resolution and communication of the Agent of State on the table;

Which motion did not prevail.

Mr. Matheny moved for the previous question;

Which was not seconded by the House.

Mr. Parker proposed the following amendment to the resolution of Mr. Simonson:

Add "together with the like expenditures of the Agents of State, down to this time, and also, how much of his time he has found it necessary to devote to the duties of his office during his term of ser-

vice, and how much time he is of the opinion will be required of an agent during the coming year;

Mr. Foley moved to lay the whole subject on the table;

Which did not prevail.

Mr. Simonson moved the previous question;

Which was not seconded by the House.

The question recurred on the adoption of the proposed amendment of Mr. Parker, to the resolution of Mr. Simonson;

And the ayes and noes having been demanded by Messrs. Simonson and Parker;

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Barrett, Bearss, Blakemore, Bowles, Burton, Chambers, Chapman, Clark of Hamilton, Coffin, Conner, Dowling, Edger, Foley, Ford, Forseman, Garrett, Gilbert, Gregory, Hannah, Harris, Harrison, Hiatt, Hobbs, Hodges, Holloway, Hostetter, Huddleston, Hurlbut, James, Jones of Franklin, Kerr, Lee of Jefferson, Lee of Posey, Logan of Pike, Macy, Miller of Vanderburgh, Montague, Morgan, Nutter, Parker, Reed, Rich, Roberts of Laporte, Seller, Shelby, Simpson, Sutherland, Tevis, Turman, Verbrike, Williams, Williamson, Wolfe, and Woolman.—55.

Those who voted in the negative are,

Messrs. Allen of Putnam, Athon, Barbour, Byers, Clark of Tippecanoe, Cowen, Cuppy, Edmonston, Elder, Engle, Ferry, Fuller, Gorman, Handy, Hardin, Helwig, Jones of Fountain, Keimer, Logan of Washington, Matheny, McAlister, McClure, McDonald, McRae, Mickle, Miller of Crawford, Moore, Montgomery, Mooney Nees, Norvell, O'Neall, Palmer, Robbins, Roberts of Putnam, Saffer, Simonson, Smith, Spicknall, Wright and Mr. Speaker.—41.

So said amendment was adopted.

The question recurring on the adoption of the resolution as amended;

It was decided in the affirmative.

Then on motion,

The communication of the Agent of State, was laid on the table.

Mr. Simonson on leave, introduced the following resolution:

Resolved, That the committee on canals and internal improvements be instructed to enquire into the expediency of altering, amending or repealing so much of the act of the last session, approved January 31st, 1843, as relates to the duties of the commissioner on that part of the New Albany and Vincennes road which lies between Paoli and Mount Pleasant, so as to limit the work to be done and the issue of certificates therefor, also to ascertain if possible, the amount of certificates already issued, also to enquire into the expediency of pro-

viding for the reception of such certificates for tolls on that part of the road between Paoli and New Albany;

Which was adopted.

The previous orders of business having been suspended;

The House proceeded to the consideration of the orders of the day.

BILLS ON THEIR SECOND READING.

No. 103. A bill for the relief Samuel Rockafeller of Franklin county; which was

Read a second time, and

On motion of Mr. Moore,

Was referred to the committee on canals and internal improvements.

No. 104. A bill concerning licensing auctioneers in the city of Fort Wayne;

No. 102. A bill for the relief of Peter Everhart;

Which were severally read a second time and ordered to be engrossed for a third on to-morrow.

No. 105. A bill to amend an act entitled "An act relating to the seminary fund in Cass county,"

Read a second time, and

On motion of Mr. Bowles,

Was referred to the committee on the judiciary.

No. 106. A bill for the encourgement of domestic manufactures;

No. 109. A Bill to change the name of Henry Bragg to the name of Henry Rattenour, and for other purposes;

No. 110. A bill to change the name of David Barker to the name of David Dobbins;

Which were severally read a second time and ordered to be engrossed for a third reading on to-morrow.

No. 112. A bill to provide for a more uniform mode of doing township business in the county of Hamilton;

Which was read a second time, and was referred to the committee on the judiciary.

No. 113. A bill to amend an act to authorize the commissioners of certain counties therein named, to equalize the appraisement of real estate in said counties;

Which was read a second time, and ordered to be engrossed for a third reading on to-morrow.

No. 111. A bill to repeal an act therein named;

Which was read a second time, and

On motion of Mr. Norvell,

Was laid on the table.

Mr. McRea moved to reconsider the vote just taken on laying bill No. 111, on the table;

Which motion prevailed; then

Mr. Norvell withdrew his motion to lay on the table.

On motion of Mr. Bowles,

The same was referred to the committee on the State Bank.

Mr. Gorman moved to instruct the committee as follows: "to place the bank and individuals upon the same footing in regard to appraisment of property."

Mr. Norvell moved to amend the instructions so as to "insert in the section that applies to the banks exclusively, the same provisions that apply to individual transactions."

Mr. McDonald proposed the following amendment to the proposed amendment of Mr. Norvell: "instruct said committee to amend by inserting a provision, that all execution debtors have three hundred dollars worth of property exempt from execution, and to repeal all appraisment laws now in force."

Mr Matheny moved to lay the proposed instructions on the table;

And the ayes and noes having been demanded by Messrs. Gorman and Matheny;

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Allen of Putnam, Athon, Barbour, Barrett, Bearss, Blakemore, Boone, Burton, Byers, Chambers, Chapman, Clark of Hamilton, Clark of Tippecanoe, Coffin, Conner, Cowen, Edger, Edmonston, Elder, Forseman, Foley, Gilbert, Handy, Hannah, Harrison, Helwig, Hiatt, Hobbs, Holloway, Huddleston, Hurlbut, James, Kerr, Lee of Jefferson, Lee of Posey, Logan of Pike, Macy, Matheney, McClure, Miller of Vanderburgh, Montague, Montgomery, Mooney, McAlister, Morgan, Nutter, Palmer, Parker, Reed, Robbins, Roberts of Laporte, Roberts of Putnam, Seller, Shelby, Simonson, Simpson, Smith, Spicknall, Turman, Verbrike, Williams, Williamson, Wolfe, Woolman and Mr. Speaker.—64.

Those who voted in the negative are,

Messrs. Bowles, Dowling, Engle, Ferry, Ford, Fuller, Gorman, Gregory, Hardin, Harris, Hodges, Jones of Fountain, Logan of Washington, McRae, Mickle, Miller of Crawford, Moore, Nees, Norvell, O'Neal, Rich, Saffer, Sutherland, Tevis, and Wright—25.

So said motion was decided in the affirmative; then

On motion,

The House adjourned till 2 o'clock, P. M.

2 o'clock, P. M.

The House met.

The Speaker laid before the House the following communication from the Auditor of State:

AUDITOR OF STATE'S OFFICE,
December 21, 1843.

Hon. A. L. Robinson,

Speaker of the House of Representatives:

SIR: Enclosed you will receive statements from the treasurers of Bartholomew, Clay, Decatur, Wayne, and Jefferson counties, showing the annual allowances to the auditors of their respective counties. It appears that their average salaries amount to about $400 each. You will please lay them before the House of Representatives.

Respectfully submitted,
M. MORRIS,
Auditor public accounts.

Which was laid on the table.

The Speaker laid before the House the following communication from Geo. H. Dunn and Samuel Bigger:

INDIANAPOLIS,
December 20, 1843.

To the Speaker of the

House of Representatives:

SIR: We beg leave to state that in the 113d section of chapter 13th of the Revised Statutes, a mistake has occurred in a reference therein made to another section and chapter.

It is desirable that the proper correction should be made in time to have the act on the subject bound up with the Revised Code.

The accompanying bill will explain the mistake and make the necessary alteration, and we beg leave to request the same may be submitted for the consideration of the House.

Respectfully,
Your ob't serv'ts,
SAM. BIGGER.
G. H. DUNN.

Which was on motion,

Referred to the committee on the Judiciary.

Mr. Hobbs asked and obtained leave to make the following report:

Mr. Speaker:

The committee to whom was referred the memorial of Thos. Gale, have had the same under consideration and have requested me to report the following bill and respectfully recommend its passage;

No. 143. A bill to legalize the sale of certain real estate of the minor heirs of James Whitaker in the county of Noble;

Which was read three several times,

The rule being suspended therefor, and passed.

Ordered, That the Clerk request the concurrence of the Senate therein.

The House then resumed the

ORDERS OF THE DAY.

No. 108. A bill declaring Lick creek and Lost river navigable streams and public highways;

Which was read a second time, when

Mr. Edmonston moved to amend by adding the following section:

"Sect. — That nothing in this act contained shall be construed to interfere with any dam that has or may hereafter be constructed across said stream for the purpose of propelling machinery of any kind, the highest of which does not exceed seven feet."

Mr. Bowles moved to amend the proposed amendment as follows: "After the word feet strike out seven and insert three;

Which was not adopted.

The question then recurring on the adoption of Mr. Edmonston's proposed amendment: and

The ayes and noes were demanded by Messrs. Elder and Bowles:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Athon, Barrett, Blakemore, Boone, Byers, Chambers, Chapman, Clark of Hamilton, Clark of Tippecanoe, Coffin, Conner, Cuppy, Dowling, Edmonston, Elder, Engle, Foley, Ford, Forseman, Fuller, Gilbert, Garrett, Harris, Helwig, Hobbs, Hodges, Holloway, Hostetter, Huddleston, Hurlbut, Jones of Fountain, Jones of Franklin, Keimer, Kerr, Lee of Jefferson, Logan of Pike, Macy, McClure, McRae, Mickle, Miller of Vanderburgh, Montague, Montgomery, Nees, Nutter, O'Neal, Parker, Robbins, Roberts of Laporte, Roberts of Putnam, Seller, Shelby, Simonson, Simpson, Smith, Spicknall, Sutherland, Tevis, Turman, Vebrike, Williams, Williamson, Wolf, Woolman and Mr. Speaker—66.

Those who voted in the negative are,

Messrs. Bearss, Bowles, Burton, Edger, Gregory, Halbert, Handy, Harrison, Hiatt, Lee of Posey, Logan of Washington, McAlister, McDonald, Mooney, Moore, Morgan, Norvell, Palmer, Reed, and Rich.—20.

So said amendment was adopted.

Mr. Bowles moved to amend further by adding the following proviso:

Provided, That each person being the owner of any dam or dams shall be compelled to construct a lock suitable for the passage of boats.

Mr. Edmonston moved to amend the proposed amendment, as follows: insert within twelve months after the passage of the law;

Which was accepted by the mover.

Then the question recurring on the adoption of the amendment as amended; and

The ayes and noes were demanded by Messrs. Edmonston and Bowles:

Those who voted in the affirmative are,

Messrs. Allen of Putnam, Blakemore, Bowles, Burton, Chapman, Clark of Tippecanoe, Cuppy, Edger, Ferry, Garrett, Gregory, Halbert, Hannah, Harrison, Huddleston, Jones of Fountain, Lee of Posey, Logan of Washington, McAlister, McDonald, Mickle, Miller of Crawford, Mooney, Moore, Morgan, Norvell, Palmer, Reed, Rich, Seller, Williamson, and Wolfe.—32.

Those who voted the negative are,

Messrs. Allen of Laporte, Athon, Barrett, Bearss, Boone, Byers, Chambers, Clark of Hamilton, Coffin, Conner, Dowling, Elder, Edmonston, Engle, Foley, Ford, Forseman, Gilbert, Handy, Hardin, Harris, Helwig, Hiatt, Hobbs, Hodges, Holloway, Hostetter, Hurlbut, Jones of Franklin, Keimer, Kerr, Lee of Jefferson, Logan of Pike, Macy, Matheny, M'Clure, McRae, Miller of Vanderburgh, Montague, Montgomery, Nees, Nutter, O'Neall, Parker, Robbins, Roberts of Laporte, Roberts of Putnam, Saffer, Shelby, Simonson, Simpson, Smith, Spicknall, Sutherland, Tevis, Turman, Verbrike, Williams, Woolman, and Mr. Speaker.—60.

So the proposed amendment was not adopted; then

On motion of Mr. Bowles,

The bill and amendment were laid on the table.

No. 42. A bill subjecting mills situate in the bed of navigable streams to taxation;

Which was read a third time, when

Mr. Hurlbut moved to commit the bill to the committee on the judiciary with instructions to confine its operations to the county of Martain;

Which motion was decided in the affirmative.

No. 34. A bill regulating the boundaries of the counties of Warrick and Gibson.

No. 55. A bill to change the time of holding probate courts in Martin county.

No. 54. A bill to declare the Mississinnewa river a public highway.

No. 16. A bill in relation to the probate courts in Dubois county;

Which were severally read third a time and passed.

Ordered, That the clerk carry them to the Senate, and ask their concurrence therein.

No. 30. A bill incorporating the first Presbyterian church of Decatur;

The question being,

Shall the bill pass?

And ayes and noes having been demanded by Messrs. Rich and Chapman;

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Allen of Putnam, Athon, Barbour, Barrett, Bearss, Blakemore, Boone, Bowles, Burton, Byers, Chambers, Clark of Hamilton, Clark of Tippecanoe, Coffin, Conner, Cowen, Cuppy, Dowling, Edger, Edmonston, Elder, Engle, Ferry, Foley, Ford, Forseman, Fuller, Garrett, Gilbert, Gregory, Halbert, Handy, Hardin, Harris, Harrison, Helwig, Hiatt, Hobbs, Hodges, Hostetter, Hudleston, Hurlbut, James, Jones of Franklin, Keimer, Kerr, Lee of Jefferson, Lee of Posey, Logan of Pike, Logan of Washington, Macy, McClure, McRae, Mickle, Miller of Crawford, Miller of Vanderburgh, Montague, Montgomery, Mooney, Nees, Norvell, Nutter, O'Neal, Palmer, Parker, Reed, Rich, Roberts of Laporte, Saffer, Seller, Shelby, Simonson, Simpson, Smith, Spicknall, Sutherland, Tevis, Turman, Verbrike, Williams, Williamson, Wolfe, Woolman, and Mr. Speaker—87.

Those who voted in the negative are,

Messrs. Chapman, Jones of Fountain, Holloway, Matheny, McAlister, Moore, Morgan, Robbins, and Roberts of Putnam—9.

So the bill passed.

Ordered, That the Senate be informed thereof.

No. 41. A bill to provide for the establishment of an additional place of holding elections in Vermillion county.

No. 60. A joint resolution in relation to certain repairs on the bridge across White river on the National Road.

No. 72. A bill regulating elections in the counties of Adams and Jay.

No. 52. A bill concerning marks and brands.

No. 61. A joint resolution in relation to a light house at City West.

No. 64. A bill to restrict the assessment of a poll tax within the county of Spencer.

Which were severally read a third time and passed.

Ordered, That the clerk carry them to the Senate and ask their concurrence therein.

ENGROSSED BILLS AND JOINT RESOLUTIONS OF THE SENATE, ENTITLED,

No. 12. An act to correct the plat of the town of Enochsburgh, in Franklin county.

No. 3. A joint resolution on the subject of improving the navigation of the Mississippi, Ohio, and Wabash rivers;

Which were severally read a third time and passed.

Ordered, That the Senate be informed thereof.

No. 18. Of the House, a bill for the benefit of the citizens of Lake county;

Which was read a third time and passed, when

Mr. McDonald moved to amend the title to said bill as follows: to entitle it a bill for the protection of wild fruits growing on public lands in the counties of Lake and Porter;

Which was agreed to.

Then the clerk was ordered to carry the same to the Senate, and ask their concurrence therein.

On motion,

The House adjourned till 9 o'clock to-morrow morning.

FRIDAY MORNING, DECEMBER 22d, 1843.

The House met pursuant to adjournment.

PETITIONS WERE PRESENTED.

By Mr. Harris,

Of citizens of Marion county, on the subject of repealing that part of the late revision as relates to the manner of loaning and keeping the common school funds, &c.;

Which was referred to the committee on education.

By Mr. Saffer,

Of Hetty Clark, praying a divorce from her husband Noah Clark;

Which was referred to a select committee of Messrs. Saffer, McRae and Simpson.

By Mr. Miller of V.,

Of Martin Schmall and others, for a divorce from his wife Anna Mariah;

Which was referred to a select committee of Messrs. Miller of V., Byers and Seller.

By Mr. Allen of Putnam,

Of citizens of Putnam county, praying a divorce in behalf of Martin C. Atkins, from his wife Clementine Malinda;

Which was referred to a select committee of Messrs. Allen of Putnam, Hostetter and Chambers.

By Mr. Nees,

Of John Cooprider of Clay county, praying for damages done him by the construction of the Cross-cut canal;

Which was referred to the committee on canals and internal improvements.

By Mr. Harris.

The petition of James Worrell, in relation to the State Library;

Which was referred to the committee on the State Library.

By Mr. Macy,

Of Lewis B. Conyer and Margaret Snooder, praying that the title of the real estate to which Melcloir Snooder, (a foreigner) died seized, may descend to his heirs in the same manner it would had they have been natural born citizens;

Which was referred to a select committee of Messrs. Macy, Williamson and Nutter.

By Mr. Nees,

The petition of Henry Engle, of Clay county, praying for relief in regard to school lands;

Which was referred to the committee on education.

By Mr. Simonson,

Of John Law, Lucius H. Scott, *et. al.*, in relation to cancelling a certain mortgage therein named;

Which was, together with the accompanying documents, referred to the judiciary committee.

REPORTS FROM STANDING COMMITTEES.

Mr. Conner, chairman of the committee on enrolled bills, made the following report:

Mr. Speaker:

The committee on enrolled bills, have examined the following enrolled with the engrossed bill and find it correctly enrolled:

No. 46. An act for the benefit of persons who are likely to suffer by the destruction of the records of Miami county by fire;

Whereupon the Speaker signed the same.

Ordered, That the clerk carry the same to the Senate for the signature of the President thereof.

Mr. Fuller, from a select committee, made the following report:

Mr. Speaker:

The committee to whom was referred a bill reducing the *per diem.* compensation of members while engaged in elections, &c., have had the same under consideration, and have instructed me to report that it is inexpedient to legislate on that subject, and ask to be discharged from the further consideration of that subject;

The report was concurred in, and the committee discharged.

Mr. Williams, from the committee on elections, made the following report:

Mr. Speaker:

The committee on elections, to which was referred bill No. 37, to amend an act entitled "An act providing for the incorporation of towns," have had the same under consideration, and directed me to strike out all after the enacting clause, and insert a new bill, and recommend its passage;

The amendment of the committee to the bill in the above report mentioned, was concurred in, and the bill ordered to be engrossed for a third reading on to-morrow.

Mr. Norvell moved to reconsider the vote just taken on the engrossment of bill No. 37;

Which motion prevailed.

Mr. Hurlbut moved to re-commit the bill to the judiciary committee with instructions to amend so as to have a tie determined by lot to be drawn by the board of election;

Which was not agreed to.

The bill then was ordered to be engrossed.

Mr. Bowles, chairman of the committee on ways and means, made the following report:

Mr. Speaker:

The committee of ways and means, to which was referred a resolution of this House on the subject of reducing the tolls on the New Albany and Vincennes turnpike road, have had that subject under consideration, and directed me to report the following bill and recommend its passage, and respectfully ask to be discharged from the further consideration of that subject:

No. 144. A bill to reduce the tolls on the New Albany and Vincennes road, and for other purposes; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Rich, from the judiciary committee made the following report:

Mr. Speaker:

The committee on the judiciary, to whom was referred No. 12, a bill for the relief of Michael Fitzgibbon, also No. 94, a bill relating to the proof of title to State lands, have had these subjects under consideration, and have directed me to report the bills back to the House and recommend their passage;

No. 12. In the above report mentioned, was ordered to be engrossed for a third reading on to-morrow.

No. 94. In said report mentioned, was also, ordered to be engrossed for a third reading on to-morrow.

Mr. McDonald, from the committee on the judiciary, made the following report:

Mr. Speaker.

The judiciary committee, to whom was referred a bill, No. 48, of the House, entitled "An act to appoint a commissioner to convey certain real estate therein named," have had the same under consideration, and directed me to report that they deem the courts of the State the proper place of remedy, and the laws of the State amply sufficient to afford a remedy in cases similar to the one stated in the preamble of said bill, and recommend its indefinite postponement, and ask to be discharged from the further consideration thereof;

Which report of the committee was concurred in, and so the bill was indefinitely postponed.

Mr. McDonald, from the same committee, made the following report:

Mr. Speaker :

The committee on the judiciary, to whom was referred a bill of the House, No. 98, entitled "A bill for the relief of George Belshaw," have had the same under consideration, and directed me to report the bill back to the House without amendment, and recommend its passage;

No. 98. A bill in said report mentioned, was ordered to be engrossed for a third reading.

Mr. Barbour, from the judiciary committee, made the following report:

M. Speaker:

The committee on the judiciary, to whom was referred resolution No. 7, instructing them to enquire into the expediency of providing by law for the service of process in an action of trespass quare clausum fregit, when the defendant or defendants may be in another county than that wherein the close is situate, have had that subject under consideration, and have directed me to report the following bill and recommend its passage:

No. 145. A bill relative to the practice in the circuit court; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Norvell, chairman of the committee on education, made the following report:

Mr. Speaker:

The committee on education, to whom was referred the petition of sundry citizens of Carroll county, praying the repeal of a certain local law for said county, respecting seminary trustees, have had the same under consideration, and have directed me to report the following bill and recommend its passage:

No. 146. A bill appointing the board of county commissioners of Carroll county the seminary trustees of said county seminary; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Roberts of Putnam, chairman of the committee on canals and internal improvements, made the following report:

Mr. Speaker:

The committee on canals and internal improvements, to which was referred a petition of sundry citizens of Dearborn county, praying for the construction of a bridge across the White water canal at Lawrenceburgh, have had the same under consideration, and have directed me to report it inexpedient to legislate on that subject, and ask to be discharged from the further consideration of the same;

On motion of Mr. Macy,

Said report and petition therein named, were laid on the table.

Mr. Roberts, chairman of the same committee, made the following report:

Mr. Speaker:

The committee on canals and internal improvements, to whom was referred bill of the House No. 58, an act reviving and amendatory of an act entitled "An act for the relief settlers on the Wabash and Erie

canal lands," have had the same under consideration, have amended the same from the enacting clause, and have directed me to report the same back to the House and recommend its passage;

On motion of Mr. Blakemore,

No. 58. In said report mentioned, was ordered to lie on the table and made the special order of the day for Tuesday next.

Mr. Ferry, chairman of the committee on corporations, made the following report:

Mr. Speaker:

The committee on corporations, to whom was referred the petition of Willard and Alvin B. Carpenter, praying the vacation of the town of Otsego, and that the taxes thereon may be lessened, have had the same under consideration, and have directed me to report, that in their opinion, that part of the prayer of said petition which asks the vacation of said town may much more easily and at a far less expense be attained by an application the board doing county business, wherein said town is situate, in pursuance with the statute of the State of Indiana, in such cases made and provided.

The committee are further of the opinion, that much of the time of this body, at a very considerable expense to the State, is unnecessarily taken up in the consideration of matters of this kind, more proper to be brought before some court or body authorized by law to act in the premises with the same or sufficient powers of relief.

The committee are further of the opinion that the part of the prayer contained in said petition, asking the lessening of taxes in said town, would materially affect the vested right of the county wherein the same is situate, in the taxes already assessed thereon.

The committee deem it not inappropriate to remark that it appears to them but just that property which has entered into the city-making fabric should be incident to all the burdens belonging to that character until it has actually reverted back into its original shape.

I am therefore directed to report that legislation upon the entire subject is inexpedient, and ask to be discharged from the further consideration thereof;

Which report was not concurred in; then

On motion of Mr. Miller of Vanderburgh,

The petition therein named, was referred to a select committee of Messrs. Miller of Vanderburgh, Logan of Pike, and Montgomery.

Mr. Ferry, chairman of the same committee, made the following report:

Mr. Speaker:

The committee on corporations to whom was referred a petition and remonstrance of sundry citizens of the town of Charlestown, relative to the opening of certain streets and alleys in said town, have

had the same under consideration, and have directed me to report, that an examiniation of the subject has led to the disclosure of the fact that the streets and alleys prayed to be opened in said petition, were vacated by an act of the last General Assembly of this State, and they are of the opinion that to further legislate upon the subject would only tend to promote fickle and unstable legislation an evil, which it is to be regretted characterizes perhaps too strongly already the legislative annals of the State. I am therefore directed to report further legislation upon the subject inexpedient, and ask that the committee be discharged from its further consideration;

Which report was concurred in, and the committee discharged.

Mr. Ferry, chairman of the same committee, made the following report:

Mr. Speaker:

The committee on corporations, to whom was referred bill of the House No. 97, entitled "A bill relative to the church property of the Roman Catholic church, together with the instructions therewith referred," have had the same under consideration, and directed me to report the same back to the House with the following amendment, "strike out the enacting clause and insert a new bill," and respectfully recommend its passage;

Which amendment was concurred in,

When Mr. Williamson proposed to further amend as follows, "provided however that the said Bishop of Vincennes shall not be allowed to hold more than 160 acres of land at any one time and five thousand dollars of personal property.

Mr. Ferry moved to amend the amendment of Mr. Williamson by adding after the words "160 acres of land and five thousand dollars of personal property," the words "appertaining to any one congregation,"

When Mr. Dowling moved to re-commit the bill and pending amendments to the committee on the judiciary;

And the ayes and noes having been demanded by Messrs. Matheny and Smith:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Allen of Putnam, Athon, Barrett, Bearss, Blakemore, Burton, Byers, Chambers, Clark of Hamilton, Coffin, Conner, Cowen, Dowling, Edger, Engle, Foley, Ford, Forseman, Garrett, Gregory, Handy, Hannah, Hardin, Harris, Harrison, Hodges, Hostetter, Huddleston, James, Jones of Fountain, Kerr, Lee of J., Lee of P., Macy, Matheny, McClure, McDonald, Miller of Vanderburgh, Montague, Moore, Morgan, Nees, Norvell, Nutter, O'Neal, Parker, Reed, Rich, Roberts of Laporte, Roberts of Putnam, Seller, Shelby, Simonson, Simpson, Spicknall, Sutherland, Tevis, Turman, Verbrike, Williamson, Woolman, Wolfe, and Wright—64.

Those who voted in the negative are,

Messrs. Barbour, Boone, Bowles, Chapman, Clark of Tippecanoe, Cuppy, Edmonston, Ferry, Fuller, Gilbert, Halbert, Helwig, Hiatt, Hobbs, Holloway, Hurlbut, Jones of Franklin, Keimer, Logan of Pike, Logan of Washington, McAlister, McRae, Mickle, Miller of Crawford, Montgomery, Mooney, Palmer, Robbins, Saffer, Smith, and Williams. —31.

So said bill and pending amendments were so referred.

Mr. Roberts of Putnam moved the following instructions to said committee:

"The legislature reserves to itself the right to amend, alter, or annul this act of incorporation at any time."

When Mr. Ferry moved to amend the instructions so as to require a vote of two thirds of the General Assembly to amend, alter, or annul said act;

And the ayes and noes having been demanded by Messrs. Matheny and Williamson:

Those who voted in the affirmative are,

Messrs. Barbour, Coffin, Dowling, Ferry, Halbert, Logan of Pike, Mickle, Parker, Simpson, Tevis, and Mr. Speaker—11.

Those who voted in the negative are,

Messrs. Allen of Laporte, Allen of Putnam, Athon, Barrett, Bearss, Blakemore, Boone, Bowles, Burton, Byers, Chambers, Chapman, Clark of Hamilton, Clark of Tippecanoe, Conner, Cowen, Cuppy, Edger, Edmonston, Engle, Foley, Ford, Forseman, Garrett, Gilbert, Gregory, Handy, Hannah, Hardin, Harris, Harrison, Helwig, Hiatt, Hobbs, Hodges, Holloway, Hostetter, Huddleston, Hurlbut, Jones of Fountain, Jones of Franklin, Keimer, Kerr, Lee of Jefferson, Lee of Posey, Logan of Washington, Macy, Matheny, McAlister, McClure, McDonald, McRae, Miller of Crawford, Miller of Vanderburgh, Montague, Montgomery, Mooney, Moore, Morgan, Nees, Norvell, O'Neal, Nutter, Palmer, Reed, Rich, Robbins, Roberts of Laporte, Roberts of Putnam, Saffer, Seller, Shelby, Simonson, Smith, Spicknall, Turman, Verbrike, Williams, Williamson, Wolfe, Woolman and Wright. —83.

Which proposed amendment to the instructions was not adopted.

When Mr. Hannah moved to amend the instructions as follows:

"The powers and privileges given and granted by this act shall extend to the Bishops, Prebendaries, and Superintendents of all other churches and religious societies whatever, in this State;

When Mr. Simonson moved the previous question;
Which was seconded by the House.
The previous question was then put, viz:
Shall the main question be now put?
Which was carried in the affirmative.
The main question being,
Shall the instructions be adopted?
And the ayes and noes having been demanded by Messrs. Barbour and Dowling:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Allen of Putnam, Athon, Barrett, Bearss, Boone, Burton, Byers, Chambers, Chapman, Clark of Hamilton, Clark of Tippecanoe, Coffin, Conner, Cowen, Cuppy, Edger, Edmonston, Engle, Foley, Ford, Forseman, Fuller, Garrett, Gilbert, Gregory, Handy, Hannah, Hardin, Harris, Harrison, Helwig, Hiatt, Hodges, Holloway, Hostetter, Huddleston, Jones of Fountain, Jones of Franklin, Keimer, Kerr, Lee of Jefferson, Lee of Posey, Logan of Pike, Logan of Washington, Macy, Matheny, McClure, McDonald, McRae, Miller of Crawford, Montgomery, Mooney, Moore, Morgan, Nees, Norvell, Nutter, O'Neal, Palmer, Reed, Rich, Robbins, Roberts of Laporte, Roberts of Putnam, Saffer, Seller, Shelby, Simonson, Simpson, Smith, Spicknall, Sutherland, Tevis, Turman, Verbrike, Williamson, Wolfe, Woolman, Wright and Mr. Speaker.—82.

Those who voted in the negative are,

Messrs. Barbour, Blakemore, Bowles, Dowling, Ferry, Halbert, Hobbs, Mickle, Miller of Vanderburgh, Montague, Parker, and Williams—12.

So said instructions were adopted.
Mr. Moore, chairman of the committee on public expenditures, made the following report:

Mr. Speaker:

The committee on public expenditures, to whom was referred a resolution of this House, directing them to enquire into the expediency of reducing the pay of the clerk to the State Prison, have according to order, had that subject under consideration, and have directed me to report the following bill and recommend its passage:
No. 147. A bill to amend an act for the regulation of the State Prison, approved the 10th of Feb., 1841; which was
Read a first time and passed to a second reading on to-morrow.
Mr. Engle, from the committee on the canal fund, made the following report:

Mr. Speaker :

The joint committee on the canal fund, to whom was referred bill No. 84, of the House, entitled "A bill to repeal a part of an act on the subject of the New Albany and Vincennes road," have had the same under consideration, and have directed me to report it back to the House with an amendment, and recommend its passage.

On motion of Mr. Simonson,

Bill No. 84. In said report mentioned, was laid on the table.

RESOLUTIONS OF THE HOUSE.

On motion of Mr. Williams,

Resolved, That the committee on the judiciary be instructed to inform this House whether there is any law now in force allowing constables or other officers an execution for their benefit where they have laid themselves liable and have paid the same, and if there is none, that they report a bill to that effect.

On motion of Mr. Montague,

Resolved, That the judiciary committee inquire into the expediency of bringing in a bill to compel the superintendent on the Wabash and Erie canal to give bond and security.

On motion of Mr. Simpson,

Resolved, That the committee of ways and means be instructed to inquire into the expediency of remitting the penalty to all delinquent tax payers for the year 1839, in case the taxes be paid at any time prior to the next settlement of the county treasurer with the Treasurer of State.

On motion of Mr. Edger,

Resolved, That the committee on canals and internal improvements be instructed to inquire into the expediency of constructing a lock at the feeder dam at Peru on the Wabash river; and report by bill or otherwise.

On motion of Mr. O'Neall,

Resolved, That I. P. Smith, the architect of the state prison, report to this House, at as early a day as possible, a copy of the estimate of the work done by Pratt and McDougal on the old state prison.

On motion of Mr. Gregory,

The following preamble and resolution were adopted:

A Preamble and Resolution in relation to rescinding the contract for the erection of a new penitentiary.

Whereas, by an act of the legislature of 1842–43, the Governor was authorized to contract for the building of a new penitentiary, which was entered into with the superintendents of the state prison:

And whereas, said new prison, as contracted, is larger than the State will ever require, covering about five acres of ground, and costing between one and two hundred thousand dollars, requiring annual appropriations of at least ten thousand dollars, as was the case at the last session of the legislature:

And whereas, it is ascertained that, with very little improvement, the present old prison is sufficiently large for the present convicts, and if the state should be divided into two prison districts, will be all sufficiently large for all time to come:

And whereas, by so dividing the State into two districts, a prison of at least one fourth the size of the present one contracted for, consequently a saving of nearly one hundred thousand dollars, will be all sufficient for the northern district:

And whereas, by so making a prison north, not only a saving of one hundred thousand dollars by the difference in the cost of the buildings, but a large sum annually will be saved in the distance and cost the State and northern counties will be subject to in the transportation of convicts:

And whereas, unless the present contract for this immense building is rescinded this session, it will be too far advanced the coming year for the State to abandon it: Therefore,

Resolved, That a select committee be appointed to inquire into the expediency of compounding with the superintendents of the state prison to abolish the present contract for the erection of a new prison, and of the expediency of making two prison districts—the one in its present location and the other north of the national road; also of employing the convicts of the northern district in the erection of a lunatic and a deaf and dumb asylum.

Whereupon the Speaker announced the following committee:

Messrs. Gregory, Edmonston, Simonson, Wright, Holloway, Chapman, Williams, Dowling, McDonald, and Cowen.

Mr. Ferry introduced the following resolution:

Resolved, That hereafter this House shall meet at the hour of nine A. M., and continue its session until one o'clock P. M.; meet again at two P. M., and continue its afternoon session until half past four o'clock, P. M.;

Which resolution was not adopted.

On motion of Mr. Morgan,

Resolved, That the judiciary committee be instructed to inquire into the expediency of reporting a bill more clearly pointing out whose duty it shall be to receive election returns and make out certificates of elections.

Mr. McDonald offered for adoption the following resolution:

Resolved, That the judiciary committee be instrueted to inquire into the expediency of reporting a bill to this House repealing all appraisement laws now in force, and providing that execution debtors have three hundred dollars' value of personal property exempt from execution;

Which resolution was not adopted.

On motion of Mr. Mickle,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of reporting a bill more effectually to prevent the crime of seduction.

On motion of Mr. Simonson,

Resolved, That the committee on canals and internal improvements be instructed to examine the report of the agent of the New Albany and Vincennes road, and ascertain and report to this House what amount of money has been received for tolls on said road during the past year; what amount has been expended on the same during the same period in repairs, etc.: and also inquire if said agent has complied with the act of last session in paying out the amount collected for tolls on said road, in the manner contemplated by the same; also to inquire whether the commissioner on said road west of Paoli, was authorized to issue certificates of indebtedness of the State, pledging the tolls on said road for their redemption; also if he has exceeded his authority in that respect; also, if a loan of bank scrip has been obtained at the New Albany Branch [Bank], based on a pledge of the tolls received on said road; and the amount of money expended for each contract; the nature of the contract; and amount of certificates issued therefor.

On motion of Mr. Norvell,

Resolved, That the judiciary committee inquire into the expediency of so amending the criminal law as to give magistrates' courts concurrent jurisdiction with the circuit courts, in all cases of card playing, horse racing, and vending goods, groceries, etc., without license.

On motion of Mr. Montague,

Resolved, That the committee on ways and means be instructed to inquire into the expediency of reducing the fees allowed to county auditors.

On motion of Mr. Shelby,

Resolved, That the committee on roads be instructed to inquire into the expediency of authorizing the supervisors to work on and keep in repair the turnpike road from Crawfordsville to Lafayette; and report by bill or otherwise.

Mr. Blakemore offered for adoption the following resolution:

Resolved, That the committee on canals and internal improvements inquire into the expediency of reducing the tolls on stone transported on the Wabash and Erie Canal; and report by bill or otherwise;

Which resolution was not adopted; when,

On motion of Mr. Hobbs,

The vote on the adoption of said resolution was reconsidered;

Then said resolution was adopted.

Mr. Moore, having obtained leave, introduced

No. 148. A bill to amend an act to provide for the appointment of township assessors in certain counties therein named, and defining their duties;

Which was read a first time and passed to a second reading on to-morrow.

On motion,

The House adjourned till 2 o'clock, P. M.

2 o'clock P. M.

The House met.

The Speaker laid before the House the following communication from the Auditor of State:

AUDITOR OF STATE'S OFFICE,
December 21st, 1843.

TO THE HON. ANDREW L. ROBINSON,

Speaker of the House of Representatives:

SIR: Inclosed please find statements from the treasurers of Brown, Fulton, Gibson, Tippecanoe, Martin, Rush, Franklin, Marshall, Miami, and St. Joseph counties as to the salary received by their respective county auditors. It will be seen that for these ten counties the average to each county auditor per annum is $292 71.

Please lay them before the House of Representatives.

Respectfully submitted.

M. MORRIS, A. P. A.

Which was,

On motion,

Laid on the table.

INTRODUCTION OF JOINT RESOLUTIONS.

Mr. McAllister introduced,

No. 149. A joint resolution in relation to a grant of land for the completion of the northern end of the Central canal;

Which was read a first and second times, (the rules being suspended therefor) and ordered to be engrossed for a third reading.

On motion of Mr. Parker,

Joint resolution No. 91, was taken from the table and was read a third time and passed;

Ordered, That the clerk report the same to the Senate and ask its concurrence therein.

Mr. Logan of Washington introduced,

No. 150. A joint resolution on the subject of reducing the minimum price of the lands of the United States that have been in market twenty years and upwards in the State of Indiana;

Which was read a first time and passed to a second reading on to-morrow.

Mr. McRae introduced,

No. 151. A joint resolution requesting congress to donate public lands for school purposes;

Which was read a first time and passed to a second reading on to-morrow.

INTRODUCTION OF BILLS.

Mr. Smith introduced,

No. 152. A bill extending the provisions of a certain act therein named to the county of Spencer;

Mr. Moore introduced,

No. 153. A bill to amend an act entitled "An act to provide for keeper of the State House and librarian," approved February 2d, 1841;

Mr. Fuller introduced,

No. 154. A bill for the better regulation of the county board in the county of Warrick;

Which were severally read a first time and passed to a second reading on to-morrow.

Mr. Robbins introduced,

No. 155. A bill fixing the rate of tolls for grinding;

Which was read a first time, when

Mr. Lee of Posey moved to reject said bill;

Which motion did not prevail.

The bill then passed to a second reading on to-morrow.

Mr. Ford introduced,

No. 156. A bill extending certain laws therein named to the county of Randolph;

Mr. Chapman introduced,

No. 157. A bill to reduce the fees of the several officers therein named;

Which were severally read a first time and passed to a second reading on to-morrow.

Mr. Holloway introduced,

No. 158. A bill to retrench the expenses of the State;

Which was read a first time, when

Mr. Matheny moved to reject said bill;

And the ayes and noes having been demanded by Messrs. Holloway and Matheny,

Those who voted in the affirmative are,

Messrs. Allen of Putnam, Athon, Barbour, Bowles, Byers, Cowen, Edmonston, Elder, Ferry, Fuller, Halbert, Handy, Hardin, Helwig, Hostetter, Jones of Fountain, Jones of Franklin, Logan of Pike, Matheny, McClure, McDonald, McRae, Mickle, Miller of C., Miller of Vanderburgh, Mooney, Moore, Norvell, O'Neal, Palmer, Robbins, Roberts of Putnam, Saffer, Simonson, Smith, Spicknall, Tevis, Turman, Wright and Mr. Speaker—40.

Those who voted in the negative are,

Messrs. Bearss, Blakemore, Boone, Burton, Chambers, Chapman, Clark of Hamilton, Clark of Tippecanoe, Coffin, Conner, Cuppy, Dowling, Edger, Engle, Foley, Ford, Forseman, Garrett, Gilbert, Gregory Hannah, Harris, Harrison, Hiatt, Hobbs, Holloway, Hodges, Hurlbut, James, Keimer, Kerr, Lee of Jefferson, Lee of P., Logan of Washington, Macy, McAlister, Montague, Montgomery, Morgan, Nees, Nutter, Parker, Reed, Rich, Roberts of Laporte, Seller, Shelby, Simpson, Sutherland, Verbrike, Williams, Williamson, Wolfe, and Woolman—54.

So said bill was not rejected.

And it passed to a second reading on to-morrow.

Mr. Gregory introduced

No. 159. A bill to amend an act entitled "An act for the better regulation of general elections;"

Mr. Miller of Vanderburgh introduced

No. 160. A bill to limit the trustees of Evansville to a certain tax, &c.;

Mr. Nees introduced

No. 161. A bill to legalize the records of roads and highways in the county of Clay;

Mr. Athon introduced

No. 162. A bill to authorize the clerk of circuit and probate courts to appoint guardians; which were severally

Read a first time and passed to a second reading on to-morrow.

Mr. Ferry introduced

No. 163. A bill regulating the fees of clerks of the circuit court in certain cases;

Which was read a first time, when

Mr. Miller of Crawford moved to reject the same;

Which motion did not prevail.

Then the bill passed to a second reading on to-morrow.

Mr. Morgan introduced

No. 164. A bill more clearly defining the eastern boundary of Rush county;

Mr. Smith introduced

No. 165. A bill to suspend the pay of members in certain cases therein named;

Mr. McDonald introduced

No. 166. A bill to reduce the appraisement of certain canal lands;

Mr. Wright introduced

No. 167. A bill to amend an act entitled "An act to amend an act supplemental to an act subjecting real and personal property to exetion," approved Jan. 8, 1842, approved Feb. 11, 1843;

Mr. Cowen introduced

No. 168. A bill to amend the act relative to dece dents, distribution, and dower; which were severally

Read a first time and passed to a second reading on to-morrow.

Ordered, That Mr. Forseman have leave of absence from the service of this House until Thursday next.

The following message was received from the Senate by Mr. Otto, their Principal Secretary:

Mr. Speaker:

The Senate has passed engrossed bills thereof of the following titles, to-wit:

No. 14. An act to provide for summoning grand and petit jurors in Decatur county;

No. 15. An act to change the name of George R. Selkregg and others;

No. 26. An act relating to the election of seminary trustees in Daviess county ;

No. 33. An act for the relief of William P. Andrews of the county of Rush;

In which the concurrence of the House of Representatives is respectfully requested.

And then he withdrew.

Bills No. 15 and 26 of the Senate, in the said message mentioned, were severally

Read a first time and passed to a second reading on to-morrow.

Bill No. 33, of the Senate, in said message mentioned, was

Read three several times,

The rules being suspended therefor,

And passed.

Ordered, That the clerk inform the Senate thereof.

No. 14. In said message mentioned, was

Read a first and second times,

The rule being suspended therefor,

And referred to a select committee of Messrs. Montague, Gregory, and Morgan.

The following message was received from the Senate by Mr. Doran, their Assistant Secretary:

Mr. Speaker:

The Senate has passed engrossed bills thereof, of the following titles, to-wit:

No. 9. An act to incorporate the brothers of St. Joseph, at South Bend, St. Joseph's county, Indiana ;

No. 10. An act to incorporate the Lagrange Phalanx;

No. 25. An act in relation to the auditor of Knox county;

In which I am directed to ask respectfully the concurrence of the House of Representatives.

Bill No. 10. In said message mentioned, was

Read a first and second times,

The rule being suspended therefor,

And referred to the committee on corporations.

Bill No. 9. In said message mentioned, was

Read a first and second times,

The rule being suspended therefor,

And referred to the committee on education.

Bill No. 25. In said message mentioned, was

Read a first time and passed to a second reading on to-morrow.

The following message was received from the Senate by Mr. Otto, their Principal Secretary:

Mr. Speaker:

The Senate has passed engrossed bills thereof, of the following titles, to-wit:

No. 21. An act in relation to the sale of lands and town lots for delinquent taxes;

No. 24. An act to locate a state road in the county of Lawrence;

No. 29. An act to amend an act allowing and regulating the writ of ad quod damnum, approved December 20, 1823, approved Jan. 29, 1842;

No. 37. An act to repeal an act therein named;

In which the concurrence of the House of Representatives is respectfully requested.

Bill No. 21. In said message mentioned, was

Read a first and second times,

The rule being suspended therefor,

And on motion, was referred to the committee on ways and means.

No. 24. In said message mentioned, was

Read a first and second times,

The rule being suspended therefor,

And referred to a select committee consisting of Messrs. Norvell, Rich, and Edmonston.

No. 37, and 29. In said message mentioned, were

Read a first time and passed to a second reading on to-morrow.

Ordered, That Messrs. Allen of P., Gorman, Handy, Barrett, Huddleston and Miller of C., have leave of absence from the service of this House until Tuesday next.

The following message was received from the Senate by Mr. Otto, their Principal Secretary:

Mr. Speaker:

The Senate has passed engrossed bills thereof, of the following titles:

No. 53. An act to amend an act entitled "An act for the relief of John Plasters, school commissioner of Miami county," approved Feb. 2, 1843;

No. 8. An act to incorporate the University of Notre dame du lac;

No. 19. An act extending the jurisdiction of justices of the peace;

No. 32. An act to vacate the western addition of the town of Palmyra, in the county of Harrison;

Also, an engrossed joint resolution of the Senate:

No. 39. A joint resolution requesting the Governor to communicate with the Governor of the State of New York, asking a drawback on Salt delivered at any point on the Wabash and Erie canal, within the State of Indiana;

In which I am directed to ask respectfully the concurrence of the House of Representatives.

No. 8, 39, 19, 32, and 53, in said message mentioned, were severally

Read a first time and passed to a second reading on to-morrow.

The following message was received from the Senate by Mr. Otto, their Principal Secretary:

Mr. Speaker:

The Senate have passed engrossed bills of the Senate of the following titles:

No. 40. An act to legalize the proceedings of the board of commissioners of the county of Monroe, at the August session thereof;

No. 44. An act to authorize the board of commissioners of Lagrange county to sell certain real estate therein named;

No. 55. An act establishing an additional place of holding elections in Perry county;

In which the concurrence of the House of Representatives is respectfully requested.

The Senate has passed engrossed bills of the House of Representatives, of the following titles, without amendment:

No. 7. An act to authorize Sarah Ann Lockwood, a minor, to unite with her husband Charles U. Lockwood, in the conveyance of real estate;

No. 9. An act to repeal an act entitled "An act to authorize the removal of the obstructions to the free passage of the water down Mud creek, and the mill fork of Eel river, in Morgan county," approved Feb. 10, 1841.

No. 21. An act legalizing the proceedings of the board of commissioners of the county of Allen, at a special session thereof;

The Senate have passed engrossed bill of the House of Representatives:

No. 100. An act to extend an act entitled "An act to compel speculators to pay a road tax;"

With amendment, in which I am directed to request the concurrence of the House of Representatives.

No. 55 and 44. In said message mentioned, were each

Read a first time and passed to a second reading on to-morrow.

No. 40. In said message mentioned, was

Read a first and second times,

The rule being suspended therefor,

And ordered to a third reading on to-morrow.

The House concurred in the amendment by the Senate to bill of the House,

No. 100. In said message mentioned,

Ordered, That the clerk inform the Senate thereof.

ORDERS OF THE DAY.

BILLS ON THEIR SECOND READING.

No. 107. A bill for the better securing the collecting of the revenue of the State of Indiana;

No. 135. A bill to suspend the further issue of five dollar Treasury Notes in lieu of fifties;

Which were each read a second time and referred to the committee on ways and means.

No. 114. A bill amendatory of an act exempting improvements from taxation, for county purposes, in certain counties therein named;

No. 115. A bill abolishing the office of circuit prosecuting attorneys, and the salary thereof paid by the State, and for the election of a prosecuting attorney in each county;

No. 121. A bill concerning the appraisement law;

No. 133. A bill changing the application of water power at the St. Mary's aqueduct on the Wabash and Erie canal, from the propulsion of a saw mill to that of a grist mill;

No. 142. A bill divorcing Sidney Brown from her husband James Brown;

Which were severally read a second time and referred to the committee on the judiciary.

No. 119. A bill for the relief of Stephen Kitson;

No. 116. A bill on the subject of scire facias;

No. 117. A bill correcting a discrepency in the estray law;

No. 118. A bill for the relief of the owners of certain canal lands therein named, lying in the county of Cass;

No. 120. A bill to provide for the re-location of the seat of justice in the county of Martin;

No. 122. A bill to authorize Charles Nelson to build a mill dam across the Wabash river;

No. 123. A bill declaring a certain road in Steuben county a state road;

No. 125. A bill to vacate a certain alley in the town of Bloomington, Monroe county;

No. 131. A bill to amend the 4th article of the 16th chapter of the Revised Statutes of 1843, so far as relates to the county of Washington;

No. 138. A bill relative to the surplus revenue of Union county;

Which were severally read a second time and ordered to be engrossed for a third reading on to-morrow.

No. 132. A bill to amend an act entitled "An act to incorporate the Logansport and Wabash bridge company;

Which was read a second time and referred to the committee on corporations.

No. 127. A bill for the relief of purchasers of congressional school lands;

No. 128. A bill to revive and amend an act entitled "An act to establish a board of trustees of the county library, of the county of Marion," approved Feb. 11, 1843;

Which were severally read a second time and referred to the committee on education.

No. 134. A bill authorizing the building of an aqueduct across the St. Mary's river, on the Wabash and Erie canal;

No. 137. A bill amending an act therein named;

Which were severally read a second time and referred to the committee on canals and internal improvements.

And on motion,

The House adjourned until to-morrow morning 9 o'clock.

SATURDAY MORNING, DEC. 23d, 1843.

The House met pursuant to adjournment.

The Speaker laid before the House of Representatives, a communication from I. P. Smith, architect of the State of Indiana, in obedience to a resolution of this House of the 22d instant, requesting said report to be laid before the same;

Which was,

On motion,

Referred to the committee on the State Prison.

Mr. Norvell moved to reconsider the vote just taken on the reference of said report;

Which motion passed in the affirmative; when

Mr. Bowles moved that said report do lay on the table and that one hundred copies of No. 2, be printed for the use of this House;

Which motion prevailed.

That portion of said report numbered "one" is as follows:

NEW ALBANY,
November 28th, 1843.

To His Excellency Samuel Bigger,

Governor of the State of Indiana:

SIR: Acting by the authority of your commission dated Nov. 2d, I have examined the work done by Pratt and McDougal on the Old State Prison, and herewith transmit to you an estimate of its value.

For excavating 297 yards of earth at 20 cents per yard,	$59 40
For McAdamizing 112 yards at $2,00 per square yard,	224 00
For putting up gates at the entrance of prison, - - -	200 00
For repairing wall at the old entrance, - - -	50 00
For work done at the office including iron grates, &c., -	570 00
For brick work done at the new shops, and repairs done to old shops, pavement &c., - - - -	2,730 00
For lumber, carpenter's work, nails and glass for same,	1,537 00
For removing rubbish and preparing for building, - -	50 00
For building a corn crib, - - - - -	130 00
Total,	$5,550 40

The buildings within the wall of the old prison are a continuous line of shops two hundred and fourteen feet in length, and forty-seven feet in width. Of this length fifty-four feet six inches is two stories high, and the remaining one hundred and fifty-nine feet, six inches is

one and a half stories high; all of which are occupied for the various mechanical branches carried on in the prison.

In the erection of these buildings little or no attention has been paid to utility, permanence of structure or judicious economy, and they are but little adapted to the purposes for which they were designed. Nor is this a matter of surprise when we reflect that the entire supervision of the work was intrusted to the care of a man whose occupation was that of a wheel-wright, and whose knowledge of building was daily derived from the more experienced of the convicts.

This estimate includes all the work done on the buildings at the old prison, excepting the repairs done to the enclosing wall during the month of April last, according to the statement of the clerk, and is based upon the supposition that the work has been received by the State as done in a workmanlike manner.

All of which is respectfully submitted.

I. P. SMITH.

PETITIONS WERE PRESENTED.

By Mr. Bearss,

Of citizens of the county of Miami in relatian to the probate and commissioner courts in Miami county;

Which was referred to a select committee of Messrs. Bearss, Fuller, and Harrison.

By Mr. Cuppy,

Of citizens of Whitley and Allen counties on the subject of the location of a State road therein named;

Which was referred to the committee on roads.

By Mr. Blakemore,

Of H. Lasselle, jr., praying that power might be extended to him to bring suit against the State for damages sustained by the loss of four flat boats, on account of obstructions in the Wabash river;

Which was referred to the committee on claims.

By Mr. Helwig,

Of citizens of Steuben county for a State road in said county;

Which was referred to a select committee of Messrs. Helwig, Hobbs and Mooney.

By Mr. Montgomery,

Of citizens of Gibson county, praying for the passage of an act to relinquish certain school lands therein named;

Which was referred to the committee on education.

By Mr. Cuppy,

Of citizens of Whitley county, praying that a certain county road therein named be declared a State road;

Which was referred to the committee on roads.

By Mr. Roberts of Laporte,

Of citizens of St. Joseph county asking that a part of St. Joseph county might be attached to the county of Laporte:

Which was referred to a select committee of Messrs. Roberts of L. Hurlbut and Parker.

On motion of Mr. Williams,

A petition in relation to the Vincennes University was taken from the table:

And then referred to the committee on the judiciary.

REPORTS FROM STANDING COMMITTEES.

Mr. Parker, chairman of the judiciary committee, made the following report:

Mr. Speaker:

The judiciary committee to whom was referred bill No. 56 of the House, providing for the conversion of the moneys arising from the sale of estrays into the common school fund, agreeably to order have had that subject under consideration and now report. The law in force on this subject provides that if the moneys arising from the sale of estrays, and property taken up adrift, be not reclaimed by the proper person within two years, it shall be vested absolutely in the county. The committee deem the change proposed a good one, and they know of no objection to it. The bill referred however, does not reach the moneys arising from the sale of property taken up adrift; for the purpose of covering this as well as the money arising from the sale of estrays, and making the whole to accord with the provisions of the Revision of 1843. The committee recommend that the original bill be stricken out from its enacting clause, and the one herewith reported inserted instead thereof, and thus amended, they recommend its passage;

Which report was concurred in.

The amendment by the committee was adopted,

And the said bill ordered to be engrossed for a third reading on tomorrow.

Mr. Parker chairman of same committee also made the following report:

Mr. Speaker:

The judiciary committee to whom bill No 25 of the House, on the subject of sales of real estate by executors &c., was recommitted with instructions, have had the same under consideration and agreeably to order they report a bill in accordance with the instructions and recommend its passage;

No. 169. A bill to regulate the sale of real estate by executors, administrators and guardians;

Which was read a first and second times,

The rule being suspended therefor; when

Mr. Moore moved to amend by inserting after the word "freeholder," in the 1st section, the words "or householders;"

Which motion passed in the affirmative.

The rule was further suspended,

And the bill read a third time and passed.

Ordered, That the clerk inform the Senate thereof.

Mr. Parker, chairman of the same committee, made the following report:

MR. SPEAKER:

The judiciary committee to whom was referred bill No. 87 of the House on the subject of preventing speculation in Treasury Notes, have had that matter under consideration and have directed me to report that compliance with the requisitions of the bill referred, will be attended with great additional labor to the officers contemplated, and in the opinion of the committee would fail in accomplishing the reformation desired. It is believed that nothing short of making the offence of speculating in Treasury Notes by officers a crime of highly penal character can, to any considerable extent, remedy the evil; they therefore recommend that the bill referred, be stricken out from its enacting clause and that the one herewith reported be inserted instead thereof, and that so amended it be passed;

Which amendment by the committee was concurred in by the House,

And the bill read a third time and passed.

Ordered, That the Senate be informed thereof.

Mr. James, from the committe on the State Library, made the following report:

MR. SPEAKER:

The committee to whom was referred the petition of Josephus C. Worrell on the subject of his having access to the State Library, have had the same under consideration and have instructed me to report the following bill and respectfully ask its passage;

No. 170. A bill to extend certain privileges to Josephus C. Worrell; which was

Read a first time and passed to a second reading on to-morrow.

REPORTS FROM SELECT COMMITTEES.

Mr. Norvell from a select committee made the following report:

MR. SPEAKER:

The select committee to whom was referred the bill of the Senate No. 24, to locate a State road in the county of Lawrence, have had

the same under consideration, adopted one amendment, report it back and recommend its passage.

P. S. The amendment is "passage," inserted before publication.

The amendment by the committee was concurred in by the House, and

No. 24, in the report mentioned, passed to a third reading on to-morrow.

Mr. Helwig from a select committee made the following report:

MR. SPEAKER:

The select committee to whom was referred the petition of Alfred B. Doolittle and others, citizens of Steuben county relative to the increase of road tax in said county, have had the same under consideration and have directed me to report the following bill and recommend its passage:

No- 171. A bill increasing the road tax in Steuben and DeKalb counties; which was

Read a first time and passed to a second reading on to-morrow.

Mr. McDonald from a select committee made the following report:

MR. SPEAKER:

The select committee to whom was referred the petition of Solon Robinson and others, praying a grant of canal lands from the State to the county commissioners of the county of Lake, for the purpose of a burial ground, have had the same under consideration and directed me to report the following bill and recommend its passage:

No. 172. A bill granting certain lands to the board of commissioners of Lake county for a burying ground; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Macy from a select committee made the following report:

MR. SPEAKER:

The select committee to whom was referred two petitions praying for the relief of the heirs of Melchoir Sooder and James Hayes, late of Dearborn county, deceased, have had that matter under consideration and authorized me to report a bill;

No. 173. A bill for the relief of the heirs of Melchoir Sooder and James Hayes late of Dearborn county deceased; which was

Read a first time and passed to a second reading on to-morrow.

RESOLUTIONS.

On motion of Mr. Edmonston.

Resolved, That the President of the State Bank be requested to

report to this House, all the information he may have in his possession in relation to the construction of the various branches, have put on the 3d section an act in relation to the State Bank, approved February the 13th 1843, whether the specifications contained in said section, have been construed to apply to banks as well as individuals.

Mr. Seller offered for adoption the following resolution:

Resolved, That members of this House absenting themselves without leave for one day or more, shall not be entitled to their per diem allowance; and that the Speaker be respectfully requested to sign no warrant for pay, till such per diem allowance is deducted from the general bill of such absent members;

Which was not adopted.

On motion of Mr. Hannah,

The resolution proposed by him on the 16th December, was taken from the table; which resolution is as follows:

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of repealing section 6, chapter 40, page 672, Revised Statutes, which requires affidavits to be made in all cases before requiring special bail on mesne process;

Also, to repeal so much of sections 432 to 446, chapter 40, page 752, as requires ten days' notice to be given, and affidavit to be filed, in all cases previous to issuing a capias ad satisfaciendum;

Also, of modifying section 407, chapter 40, so as to allow more than one offer of sale on the same execution in twelve months;

Also, to repeal that part of the fourth division of section 2, page 863, which reads in these words: "And by and against executors, administrators, and guardians," so as to give jurisdiction to justices of the peace in such cases;

Also, to repeal so much of an act supplemental to an act subjecting real and personal property to execution, approved February 11th, 1843, page 1,045 of the Revised Statutes, as dispenses with the giving of delivery bonds by defendants in execution;

And that said committee be instructed to report to this House.

The question being taken,

"Shall said resolution be adopted?"

It was decided in the negative.

On motion of Mr. O'Neall,

Resolved, That the judiciary committee be instructed to inquire into the expediency of repealing the fifth section of article 1st, of chapter 35 of the Revised Statutes, which provides that all males under 17 years, and females under 14 years of age, who shall go into any other State or Territory, and be joined in matrimony and return to reside in this State, shall be held as void and of no effect; and that said committee report by bill or otherwise.

On motion of Mr. Miller of Crawford,

Resolved, That the committee of ways and means is hereby required to inquire into the expediency of so amending the law regulating taverns and groceries in this State in the following manner:

That when any person wishing to obtain license may obtain the

same by producing a petition of the majority of the householders of the township they may live in, or wish to have their tavern or grocery; also, then they are further required to comply with all other provisions of said law that are now in force; and report by bill or otherwise.

Mr. Norvell introduced,

No. 174. A bill to amend the several acts now in force regulating the duties of school commissioners, county auditors, county treasurers and county commissioners, and for other purposes;

Which was read a first and second times, (the rule being suspended therefor) and referred to the judiciary committee.

ORDERS OF THE DAY.

Bills on their second reading—

No. 139. A bill to amend an act entitled "An act to provide for the collection of the debt due from the Indianapolis and Lawrenceburgh Railroad Company;

Which was read a second time and referred to a select committee of Messrs. James, Macy, Edmonston, O'Neall, and Moore.

No. 141. A bill to enable the State Bank and Branches of the State of Indiana, to ever continue metallic payments;

Read a second time and referred to the committee on the State Bank.

No. 130. A bill further to amend an act entitled "An act supplemental to an act subjecting personal property to execution," approved January 8th, 1842;

No. 155. A bill fixing the rate of tolls for grinding;

Which were severally read a second time and laid on the table.

No. 136. A bill to provide for the payment of taxes by non-residents through the State Treasury;

No. 148. A bill to amend an act to provide for the appointment of township assessors in certain counties therein named and defining their duties;

No. 160. A bill to limit the trustee of Evansville to a certain tax etc.

Which were severally read a second time and referred to the committee of ways and means.

No. 140. A bill to legalize the acts of the school commissioner of Martin county;

No. 151. A joint resolution requesting congress to donate public lands for common school purposes;

No. 146. A bill appointing the board of county commisssioners of Carroll county, the seminary trustees of said county seminary;

No. 145. A bill relative to the practice in the circuit court;

No. 152. A bill to extend the provisions of a certain act therein named to the county of Spencer;

No. 154. A Bill for the better regulation of the county board in the county of Warrick;

No. 156. A bill extending certain laws therein named to the county of Randolph;

Which were severally read a second time and ordered to be engrossed for a third reading on to-morrow.

No. 150. A joint resolution on the subject of reducing the minimum price of the lands of the United States that have been in market twenty years and upwards in the State of Indiana;

Read a second time and referred to the committee on federal relations.

No. 147. A bill to amend an act for the regulation of the state prison, approved February 10th, 1841;

Read a second time and referred to the committee on the state prison.

No. 153. A bill to amend an act entitled "An act to provide for keeper of the State House and librarian," approved February 2d, 1841;

Read a second time and referred to the committee on the state library.

No. 157. A bill to reduce the fees of several officers therein named;

Which was read a second time and referred to the same committee to which that subject had been heretofore referred.

Mr. Robbins proposed the following instructions to said commitee:

To strike out "10" and insert "8 cents for every 100 words;"

Which instructions were adopted.

Mr. Verbrike proposed to amend the instructions of Mr. Robbins as follows:

"That after the clerk has retained fifty cents out of the one dollar now required by law, that he be made to pay the residue to the school commissioner for the support of common schools;"

Which was not agreed to.

No. 158. A bill further to retrench the expenses of the State;

No. 162. A bill to authorize the clerks of circuit and probate courts to appoint guardians;

No. 168. A bill to amend the act in relation to decedents, distribution, and dower;

Which were severally read a second time and referred to the committee on the judiciary.

No. 159. A bill to amend an act entitled "An act for the better regulation of general elections;"

Which was read a second time and referred to the committee on elections.

No. 161. A bill to legalize the records of roads and highways in the county of Clay;

Which was read a second time and referred to the committee on roads.

No. 163. A bill regulating the fees of clerks of the circuit court in certain cases;

Which was read a second time and referred to the same committee to which that subject had been heretofore referred.

No. 164. A bill more clearly defining the eastern boundary of Rush county;

Which was read a second time and referred to a select committee of Messrs. Morgan, Simpson, and Parker.

No. 165. A bill to suspend the pay of members in certain cases therein named;

Which was read a second time, when

Mr. Smith moved to amend by inserting after the word "cease," [the words] "during their absence except on account of sickness;"

Which was adopted.

Mr. Smith moved to refer the bill to the committee on federal relations;

Which motion did not prevail.

Mr. Edmonston moved to refer the same to a committee of the whole House, and that it be made the order of the day for Monday next;

Which motion was decided in the negative.

Mr. Bowles moved to commit the bill to a committee of the whole House, and make it the order of the day now;

Which motion prevailed.

The House then went into a committee of the whole on said bill, with Mr. Edmonston in the chair, and after having spent a short time therein, the committee rose and, through its chairman, reported progress, and asked leave to sit again at 2 o'clock;

Which report was concurred in and the committee has leave to sit again.

No. 166. A bill to reduce the appraisement of certain canal lands;

Which was read a second time and referred to the committee on canals and internal improvements.

No. 167. A bill to amend an act entitled "An act to amend an act supplemental to an act subjecting real and personal property to execution, approved January 8th, 1842;" approved February 11th, 1843;

Which was read a second time and,

On motion of Mr. Norvell,

Laid on the table.

Bills and joint resolutions of the Senate—

No. 44. A bill to authorize the board of commissioners of Lagrange county to sell certain real estate therein named;

No. 55. A bill establishing an additional place of holding elections in Perry county;

No. 53. A bill to amend an act entitled "An act for the relief of John Plasters, school commissioner of Miami county," approved February 2d, 1843;

No. 32. A bill to vacate the western addition of the town of Palmyra in the county of Harrison;

Which were severally read a second time and ordered to a third reading on to-morrow.

No. 19. A bill extending the jurisdiction of justices of the peace;

Which was read the second time, when

Mr. Hannah proposed to refer the bill to the judiciary committee with the following instructions:

"To repeal that part of the fourth division of section 2, page 863 of the Revised Statutes, 1843, which restricts justices of the peace from having jurisdiction in cases wherein executors, administrators, and guardians are parties, and which reads in the following words: 'and by and against executors, administrators, and guardians;' "

Which motion did not prevail; then,

On motion of Mr. Parker,

Said bill was referred to the judiciary committee.

No. 39. A joint resolution requesting the Governor of Indiana to communictate with the Governor of New York, asking a draw-back on salt delivered at any point on the Wabash and Erie canal within the State of Indiana;

Which was read a second time and ordered to a third reading on to-morrow.

No. 8. A bill to incorporate the University of Notre Dame du Lac;

Which was read the second time and referred to the committee on education.

No. 29. A bill to amend an act allowing and regulating the writ of *ad quod damnum*, approved December 20th, 1823, approved January 29th, 1842;

No. 26. A bill relating to the election of seminary trustees in Daviess county;

Which were severally read a second time and referred to the judiciary committee.

No. 37. A bill to repeal an act therein named;

No. 25. A bill in relation to the auditor of Knox county;

No. 15. A bill to change the name of George R. Selkregg and others;

Which were severally read a second time and ordered to a third reading on to-morrow. And,

On motion,

The House adjourned till 2 o'clock, P. M.

2 *o'clock*, *P. M.*

The House met pursuant to adjournment.

Mr. Edmonston moved a call of the House,

The clerk proceeded with the call,

When it appeared that the absentees were Messrs. Allen of L., Chapman, Conner, Cowen, Elder, Ferry, Foley, Harrison, Jones of Fountain, Lee of P., McConnell, Miller of C., Miller of V., Nees, Reed, Rich, Robbins, Williamson, Allen of P., Barrett, Boone, Clark of H., Forseman, Gorman, Handy, Huddleston, and Kelly.

Messrs. Allen of P., Barrett, Boone, Clark of H., Forseman, Gorman, Handy, and Huddleston, being absent with the leave of the House; and

Messrs. Kelly and McConnell on account of indisposition.

Then on motion of Mr. Bowles,

The further call of the House was suspended.

On motion of Mr. Parker,

The previous order in relation to bill No. 165, was postponed till Wednesday next.

The House then resumed the consideration of the orders of the day.

BILLS ON THEIR THIRD READING.

No. 6. A bill to abolish the office of county auditor, in the county of Warrick, and for other purposes;

No. 86. A bill extending the provisions of a certain act therein named to the county of Kosciusko;

No. 14. A joint resolution on the subject of postage;

No. 50. A bill to vacate the town of Lagrange;

No. 75. A bill to extend the provisions of certain laws therein named to the county of Wabash;

No. 88. A bill vacating a certain alley therein named, in the town of Delphi;

No. 131. A bill to amend the 4th article of the 16th chapter of the Revised Statutes of 1843, so far as relates to the county of Washington;

No. 123. A bill declaring a certain road in Steuben county a state road;

No. 120. A bill to provide for the re-location of the seat of justice in the county of Martin;

No. 119. A bill for the relief of Stephen Kitson;

No. 149. A joint resolution in relation to a grant of land for the completion of the northern end of the Central canal;

No. 98. A bill for the relief of George Belshaw;

No. 106. A bill for the encouragement of domestic manufactures;

No. 109. A bill to change the name of Henry Bragg to the name of Henry Rittenour;

No. 110. A bill to change the name of David Barker to the name of David Dobbins;

No. 104. A bill concerning the licenses of auctioneers in the city of Fort Wayne;

No. 117. A bill correcting a discrepency in the estray law;

No. 93. A joint resolution in relation to a canal at the falls of the Ohio river;

No. 94. A bill relating to the proofs of title to state lands;

No. 125. A bill to vacate a certain alley in the town of Bloomington, Monroe county;

No. 122. A bill to authorize Charles Nelson to build a mill dam across the Wabash;

No. 116. A bill on the subject of scire facias;

No. 138. A bill relative to the surplus revenue in Union county;

No. 37. A bill to amend an act entitled "An act providing for the incorporation of towns;"

No. 73. A bill amendatory and supplemental to an act entitled "An act providing for the election of three school commissioners in township No. 14, north, of range 7, west, in Pike county," approved Jan. 13, 1842;

Which were severally read a third time and passed.

Ordered, That the clerk report the same to the Senate and ask their concurrence therein.

No. 27. A bill for the relief of Curtis Mallery, treasurer of Hamilton county;

No. 74. A bill to abolish the office of Private Secretary to the Governor of the State of Indiana;

Which were severally read a third time and laid on the table.

No. 8. A bill to organize a new county out of the county of Dearborn, and re-locate the county seat thereof;

Which was read a third time,

When Mr. Smith moved to re-commit the bill to the committee on the judiciary, with instructions to enquire whether by organizing a new county, it will reduce Dearborn county to a less number of square miles than 400;

Which was not agreed to.

Mr. McDonald moved to re-consider the vote just taken on the motion of Mr. Smith to re-commit with instructions;

Which motion prevailed.

Then the bill was by unanimous consent, referred to the committee on the judiciary, with said instructions.

BILLS OF THE SENATE.

No. 5. A bill relative to a certain state road in the county of Elkhart;

No. 40. A bill to legalize the proceedings of the board of commissioners of the county of Monroe, at the August session thereof;

Which were severally read a third time and passed.

Ordered, That the clerk inform the Senate thereof.

No. 12. (Of the House,) a bill for the relief of Michael Fitzgibbon;

Which was read a third time and passed.

Ordered, That the clerk report the same to the Senate and ask their concurrence therein.

No. 118. A bill for the relief of the owners of certain canal lands therein named, lying in the county of Cass;

Which was read the third time,

And the question being,

Shall the bill pass?

And the ayes and noes were demanded by Messrs. Bearss and Roberts of P.:

Those who voted in the affirmative are,

Messrs. Bearss, Blakemore, Bowles, Byers, Coffin, Cowen, Cuppy, Dowling, Edger, Edmonston, Elder, Ferry, Ford, Gilbert, Gregory, Halbert, Harris, Helwig, Hiatt, Hobbs, Hodges, Holloway, Hostetter, Hurlbut, James, Jones of Franklin, Keimer, Kerr, Lee of Posey, Logan of Pike, Macy, McDonald, Miller of Vanderburgh, Montague, Montgomery, Mooney, Morgan, Norvell, Palmer, Parker, Read, Rich, Robbins, Roberts of Laporte, Saffer, Seller, Shelby, Simpson, Smith, Spicknall, Sutherland, Tevis, Verbrike, Williams, Wolfe, Woolman and Mr. Speaker—57.

Those who voted in the negative are,

Messrs. Athon, Barbour, Burton, Chambers, Clark of Tippecanoe, Engle, Fuller, Garrett, Hannah, Jones of Fountain, Lee of Jefferson, Logan of Washington, McAlister, McClure, McRae, Mickle, Moore, Nutter, O'Neal, Roberts of Putnam, Simonson, Turman, Williamson, and Wright—24.

So the bill passed.

Ordered, That the clerk report the same to the Senate and ask its concurrence therein.

Then, on motion,

The House adjourned till Tuesday morning, 9 o'clock.

TUESDAY MORNING, DEC. 26th, 1843.

The House met pursuant to adjournment.

The Speaker laid before the House the following communication from Hon. Samuel Merrill, President of the State Bank of Indiana, in obedience to a resolution of the House, adopted on the 23d instant:

OFFICE OF THE STATE BANK,
December 25, 1843.

To the House of Representatives:

I have received your resolution of the 23d, requesting me to report to the House all the information I may have in relation to the construction the various Branches have put on the 3d section of an act in relation to the State Bank, approved Feb. 13, 1843. Whether the specifications contained in said section, have been construed to apply to Banks as well as individuals, and I beg leave to report that at the last May session of the directors of the State Bank, amongst other proceedings, they adopted the following resolution:

Resolved, That it be recommended to the branches to adopt the following form of Note for discount on new loans after the first of June next:

——— days after date, we or either of us promise to pay to the order of dollars, negotiable and payable at the Branch at of the State Bank of Indiana, without any relief whatever, from valuation or appraisement laws, value received.

The note to be signed by all the securities, and endorsed by the discounter, whose name shall be inserted as payer, and who also shall sign the note.

This resolution was adopted, not because the second section of the act referred to, did not give the Bank full powers over the matters embraced in it, but that the borrowers might have no excuse on account of ignorance of the law. In the examination of the Branches this Fall, I noticed that a large portion of the new discounted notes were in the form recommended, yet occasionally when sent from a distance, they were not so, probably because the trouble of getting a new note was considered greater than any advantage to be derived from a mere form.

Respectfully submitted,

S. MERRILL.

Which was,

On motion of Mr. Edmonston,

Referred to the committee on the State Bank.

The Speaker also laid before the House the petition of citizens of Carroll county, relative to the amount of tavern license in that county;

Which was referred to the committee on ways and means.

The Speaker also laid before the House the petition of sundry citizens of Carroll county, relative to a side cut at Pittsburgh, from the upper to the lower part of the town, for the purpose of increasing the water power;

Which was read and referred to the committee on canals and internal improvements.

The Speaker also laid before the House the report of James Blair, Esq., commissioner on the Wabash and Erie canal, west of Lafayette;

On motion of Mr. Shelby,

Said report was laid on the table and 500 copies ordered to be printed for the use of this House.

PETITIONS WERE PRESENTED.

Mr. Hannah presented the petition of sundry citizens of Centreville and vicinity, and accompanying bill, to incorporate the Noland's Fork canal company:

Which was, on his motion,

Laid on the table.

By Mr. Mickle,

Of citizens of Adams, asking the amendment of the revenue laws, as therein named;

Which was referred to the committee on ways and means.

By Mr. Helwig,

Of citizens of Steuben county, for relief of purchasers of certain school lands;

Which was referred to the committee on education.

By Mr. Verbrike,

Of citizens of Hendricks county, for the relief of the late school commissioner of said county;

Which was, on his motion,

Laid on the table.

By Mr. Bearss,

Of citizens of the county of Miami, on the subject of the building of a certain bridge;

Which was referred to the committee on canals and internal improvements.

By Mr. Macy,

Of 1500 citizens of Dearborn county, in relation to the re-location of the county seat, and for a new county out of said county;

Which was, on his motion,

Referred to the judiciary committee.

Mr. Bowles, chairman of the committee on ways and means, made the following report:

Mr. Speaker:

The committee of ways and means, to which was referred bill No. 82, on the subject of postponing the time of paying taxes for the year 1843, have had the bill with the instructions under consideration, and have directed me to report, that upon an examination of the bill with reference to the revenue laws now in force, they find that an entirely new bill is demanded; they therefore recommend that the bill referred be stricken out from the enacting clause, and the one herewith reported, which embodies all the provisions desired in proper form, be substituted by way of amendment, and thus amended, they recommend its immediate passage;

The amendment of the committee was concurred in by the House.

The bill considered as engrossed, and read a third time,

The rule being suspended therefor.

The question being,

Shall the bill pass?

And the ayes and noes having been demanded by Messrs. Wright and Hobbs:

Those who voted in the affirmative are,

Messrs. Athon, Barbour, Barrett, Bearss, Blakemore, Boone, Bowles, Burton, Byers, Chambers, Clark of Hamilton, Clark of Tippecanoe, Coffin, Conner, Cowen, Dowling, Edmonston, Edger, Engle, Ferry, Foley, Ford, Fuller, Garrett, Gregory, Halbert, Hannah, Hardin, Harris, Harrison, Helwig, Hiatt, Hodges, Holloway, Hostetter, Huddleston, James, Jones of Fountain, Jones of Franklin, Keimer, Kerr, Lee of Jefferson, Lee of Posey, Logan of Pike, Logan of Washington, Macy, McAlister, McClure, McDonald, McRae, Mickle, Miller of Crawford, Miller of Vanderburgh, Montague, Montgomery, Moore, Morgan, Norvell, Nutter, O'Neal, Palmer, Parker, Reed, Rich, Robbins, Roberts of Laporte, Roberts of Putnam, Saffer, Seller, Shelby, Simonson, Simpson, Smith, Spicknall, Sutherland, Tevis, Turman, Verbrike, Williams, Williamson, Wolfe, Woolman and Mr. Speaker. —83.

Those who voted in the negative are,

Messrs. Cuppy, Hobbs, Hurlbut, Mooney, and Wright.—5.

So the bill passed.

Ordered, That the clerk report the same to the Senate and ask their concurrence therein.

On motion of Mr. Parker,

No. 29. A bill postponing the time for the payment of taxes, was taken from the files;

Which was then read the third time and passed.

Ordered, That the clerk report the same to the Senate and ask their concurrence therein.

Mr. Mooney, from the committee on ways and means, made the following report:

MR. SPEAKER:

The committee on ways and means to whom was referred a bill of this House No. 148, on the subject of appointing township assessors in certain counties therein named, and defining their duties, have had that subject under consideration, and have directed me to report the bill back without amendment and recommend its passage;

The bill was then,

On motion,

Amended by adding the provisions thereof to the counties of Spencer, Jay, Adams, Bartholomew, Randolph, Boone, and Harrison.

Mr. Parker moved to indefinitely postpone said bill;

And the ayes and noes having been demanded by Messrs. Parker and Moore:

Those who voted in the affirmative are,

Messrs. Barrett, Bearss, Blakemore, Clark of Hamilton, Coffin, Conner, Edger, Elder, Foley, Gilbert, Gregory Halbert, Hannah, Harrison, Hiatt, Hobbs, Holloway, Huddleston, Kerr, Lee of Jefferson, Logan of Pike, Miller of Vanderburgh, Miller of C., Lee of P., Morgan, Nutter, Parker, Reed, Roberts of Laporte, Seller, Shelby, Simpson, Tevis, Williamson, Wolfe, Woolman, Wright and Mr. Speaker —38.

Those who voted in the negative are,

Messrs. Athon, Barbour, Boone, Bowles, Burton, Byers, Chambers, Clark of Tip., Cowen, Cuppy, Edmonston, Engle, Ferry, Ford, Fuller, Garrett, Hardin, Harris, Helwig, Hodges, Hostetter, Hurlbut, Jones of Fountain, Jones of Franklin, Keimer, Logan of Washington, McAlister, McClure, McConnell, McDonald, McRae, Mickle, Montague, Mooney, Montgomery, Moore, Norvell, O'Neal, Palmer, Robbins, Roberts of Putnam, Saffer, Simonson, Smith, Sutherland, Turman, Verbrike, and Williams—49.

So said motion passed in the negative.

Then on motion of Mr. Hurlbut,

Said bill was referred to the committee on the judiciary;

When Mr. Mickle proposed the following instructions:

To amend by striking out "appointment by the board of commissioners," and insert "elect by the electors in each township, on the first Monday in April;"

Which was not adopted.

Mr. Parker, chairman of the committee on the judiciary, made the following report:

MR. SPEAKER:

The judiciary committee, to whom was referred a resolution of the House, directing them to enquire into the expediency of reporting a bill making judgments rendered by probate courts a lien upon real estate, now report, that it will be found upon reference to section 3, chapter 29, Revised Statutes of 1843, that the lien proposed is there provided for; the committee therefore ask to be discharged from the further consideration of the subject;

Which report was concurred in by the House, and the committee discharged from the further consideration thereof.

Mr. Parker, chairman of the same committee, also made the following report:

MR. SPEAKER:

The judiciary committee, to whom was referred a resolution of the House instructing them to enquire into the expediency of amending the election law, so as to require the returns of elections to be made to the county auditors instead of the clerks of the circuit courts, have had that subject under consideration, and have directed me to report, that they find upon examination of the Revision of 1843, that the change would introduce immense confusion into the law, in this behalf, as it will stand so soon as the Revision is published, under the election laws, especially in cases of contested elections, the clerks of the circuit courts and county auditors have numerous, important, and entirely different duties to perform, the law as it now stands in the Revision, is clear, and seems well adjusted; the committee are therefore decidedly of the opinion that it should not be changed or interfered with, until experience shall have indicated that to amend the law will be to improve it, they therefore ask to be discharged;

Which report was concurred in, and the committee discharged from the further consideration of that subject.

Mr. Norvell, chairman of the committee on education, made the the following report:

MR. SPEAKER:

The committee on education, to whom was referred bill of the House

No. 79, authorizing the school commissioner of Vanderburgh county to refund certain moneys, have had the same under consideration, stricken it out from the enacting clause, and introduced the following in lieu thereof, and recommend its passage:

The amendment of the committee was concurred in by the House, and the bill ordered to be engrossed for a third reading on to-morrow.

Mr. Hodges, from the committee on education, made the following report:

Mr. Speaker.

The committee on education, to whom was referred bill No. 9, of the Senate, to incorporate the brothers of St. Joseph, have had the same under consideration, and directed me to report the same back to the House with one amendment and recommend its passage: amend by adding the word "repeal" in its proper place in the second line of the 3d section, and strike out the two last lines of said section;

The amendment of the committee was concurred in by the House, and which was ordered to be engrossed, and the bill passed to its third reading on to-morrow.

Mr. Hodges, also made the following report:

Mr. Speaker:

The committee on education, to whom was referred bill No. 128, an act to revive and amend an act to establish a board of trustees of the county library of the county of Marion, have had the same under consideration, and directed me to report the same back to the House with one amendment, and recommend its passage;

Amend by striking out the last line of the 3d section which relates to its publication;

The amendment of the committee was concurred in, and the bill ordered to be engrossed for a third reading on to-morrow.

Mr. Roberts of P., chairman of the committee on canals and internal improvements, made the following report:

Mr. Speaker:

The committee on canals and internal improvements, to which was referred a resolution of the House No. 4, to enquire into the expediency, of constructing a lock at the feeder dam at Peru, on the Wabash river, have had that subject under consideration, and have directed me to report it inexpedient to legislate upon that subject, and ask to be discharged from the further consideration of the subject;

Which report was concurred in by the House.

Mr. Roberts, also made the following report:

Mr. Speaker:

The committee on canals and internal improvements, to which was referred a bill of the House No. 137, a bill amending an act therein named, report that it is inexpedient; first it would be calculated to depreciate the value of the canal scrip which is the only funds paid for labor done or performed on said canal; second, it would be repealing the provisions of an act approved Feb. 8, 1843, after which time contracts were let, with the understanding that said scrip should be received for all tolls, transit duties, and water rents; the committee after taking all things into consideration, touching the same, recommend the indefinite postponement of the bill, and ask to be discharged from the further consideration of the same;

Which report was concurred in by the House, and the bill therein named, indefinitely postponed.

Mr. Jones of Franklin, from the committee on canals, &c., made the following report:

Mr. Speaker:

The committee on canals and internal improvements to whom was referred bill No. 103, for the relief of Samuel Rockafeller of Franklin county, have had the same under consideration and have directed me to report, that upon examination it appears that in the construction of the White Water canal, it was so located as to run through and divide Samuel Rockafeller's farm, causing him to build a bridge, and an additional quantity of fence, amounting in all to over four hundred dallars. It appears that the said Rockafeller in accordance with the provisions of an act entitled "An act to provide for a general system of internal improvement, approved February 27th, 1836," did present to the board of commissioners his claim for damages but the board rejected his claim because it did not state whether he held the land by deed or lease; he then filed an amended claim which was mislaid or lost by said board, and could not be found until the time expired for which he should have prosecuted his claim, he was therefore debarred from the provisions of the aforesaid act; and upon mature consideration your committee are of the opinion that justice requires that he should be remunerated in some degree for the amouut of expenditures as above stated; they have directed me to report the bill back with the following amendment: to strike out all after the enacting clause, and insert the following and recommend its passage:

Which amendment of the committee was concurred in, and the bill ordered to be engrossed for a third reading on to-morrow.

Mr. Gregory from the committee on canals &c., made the following report:

Mr. Speaker:

The committtee on canals and internal improvements to whom was referred bill No. 126, a bill regulating the rates of tolls on the Wabash and Erie canal, have had the same under consideration and have directed me to report that in view of the amount of tolls to be received from that canal, at first view, would seem to dictate that the raising of the tolls would enhance the value of that very important work to the State, but there are other objections that are insurmountable in the opinion of your committee. If the tolls were raised it would be followed by a serious reduction in the amount of the produce to be taken to market through this important channel, the mass of trade in the north-west of the State, and a large portion of that of Illinois would find a ready and better market in the city of Chicago, a market already drawing heavily upon the interests of this great thoroughfare, the committee then under a due regard to the interest of the canal and that of the whole State are unanimously of the opinion that the present rate of tolls are better calculated for the public good than any other that could be adopted, we therefore beg leave to report that it is inexpedient to legislate upon this subject and recommend its indefinite postponement.

The question being on the concurrence of said report, when

Mr. Dowling moved to re-commit the bill therein named to the said committee on canals and internal improvements;

Which motion passed in the affirmative.

Mr. Bowles then proposed to instruct said committee as follows: to strike out from its enacting clause and report a bill providing that scrip shall be taken for tolls at fifty cents to the dollar, or its cash value above that amount;

Which was not adopted.

Mr. Edmonston moved to instruct the committee to amend by increasing the tolls one third, on the Wabash and Erie canal:

Which instructions were adopted; then

On motion,

The House adjourned till 2 o'clock, P. M.

2 o'clock, P. M.

The House met.

The Speaker laid before the House the following communication from Morris Morris, Auditor of State:

AUDITOR OF STATE'S OFFICE,
December 26, 1843.

Hon. A. L. Robinson,

Speaker of the House of Representatives:

SIR: Enclosed you will find statements from the treasurers of Randolph, Hancock, Daviess, Boone, Wabash, Sulllivan, Knox, Adams, Putnam, Harrison, Laporte, Fountain, and Clark counties, in answer to a resolution of the House, as to the amount of annual salary received by their respective county auditors. The average amount to each auditor in the above list, per annum, is three hundred and forty-one dollars.

Respectfully submitted,
M. MORRIS,
Auditor public accounts.

Which was referred to the committee on ways and means.

Mr. Hodges moved to take from the table other communications from the Auditor of State upon the same subject, and that the same be referred to the same committee;

Which motion prevailed.

Mr. Rich from the committee on federal relations made the following report:

MR. SPEAKER:

The committee on federal relations to whom was referred a memorial and joint resolution of this House No. 1, on the subject of the Cumberland road, have had the same under consideration and directed me to report the same back, ask the words "or National," to be stricken from the title, and recommend its passage.

The amendment of the committee was concurred in by the House, and said bill ordered to be engrossed for a third reading on to-morrow.

REPORTS FROM SELECT COMMITTEES.

Mr. Mickle from a select committee made the following report:

MR. SPEAKER:

The committee to whom was referred the petition of citizens of Jay and Blackford counties, praying for the location of a State road from Portland in Jay county to Hartford in Blackford county, have

had that subject under consideration and have directed me to report the following bill and ask its passage:

No. 175. A bill appointing commissioners to locate a State road from Portland in Jay county to Hartford in Blackford county; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Montague, from a select committee, made the following report:

Mr. Speaker:

The select committee to whom was referred Senate bill No. 14, entitled "An act to provide for summoning grand and petit jurors in Decatur county," have had the same under consideration and have made the following amendments, and recommend its passage:

In the first section after "Decatur," add "and Warren," in second section, first line, strike out "said court" and insert "circuit and probate courts."

Also, strike out of the first and second sections, when ever the word occurs, "county" and in insert "counties;"

Which amendments were concurred in and ordered to be engrossed;

The bill then was ordered to a third reading on to-morrow.

RESOLUTIONS OF THE HOUSE.

On motion of Mr. Hannah,

Resolved, That the judiciary committee be instructed to compare sections 4 and 90, chapter 7, and sections 42, 68, and 90, chapter 12, Revised Statutes, relative to the duties of county auditors, and report whether said sections conflict so as to render it impossible for county auditors to give the personal attendance to the several duties of their office, etc., and whether there are any discrepancies in said sections of said act.

On motion of Mr. Jones of Fountain,

Resolved, That the Auditor of the State furnish this House with a specific statement of the rents received and from whom, and the expenses incurred on the northern division of the Central canal, embracing that portion only from the feeder dam at Broad Ripple to Indianapolis, inclusive, during the last three years; also, whether the present lessees are in arrearage on their respective leases; also, whether any and what damages have been allowed to said lessees for want of water or other cause for the same period of time above mentioned.

On motion of Mr. Engle,

Whereas, it appears by section 4, chapter 7 of the Revised Stautes of 1843, that the boards of commissioners of the several counties in this State are required to hold their regular meetings on the

first Mondays in January, March, May, September, and November in each year; and by sections 58 and 86 of the same chapter, the several county treasurers and auditors are required to make their settlement on the first Mondays of March, June, September, and December, in contravention of the first named periods: AND WHEREAS, it would cause incalculable confusion in the mode of doing county business, to permit the said Statutes to take effect without correcting this discrepancy: Therefore,

Resolved, That the judiciary committee be instructed to inquire into the propriety of correcting said discrepancy by amending the 4th section of chapter 7, so as to require the several county boards to hold their regular sessions on the first Mondays of March, June, September, and December in each year as they are now held; and that said committee have leave to report by bill or otherwise.

On motion of Mr. Bowles,

Resolved, That the Auditor of State be requested to furnish this House with the details of the reports of the agent and commissioner on the New Albany and Vincennes turnpike road, at the earliest possible moment.

On motion of Mr. Logan of Washington,

Resolved, That the committee on education be and they are hereby instructed to inquire into the expediency of repealing so much of the 60th section of the 15th chapter of the revised school laws which authorizes the district treasurer to receive from the county auditor warrants on the school commissioner and county treasurer, for all such funds as the districts may be entitled to; with leave to report by bill or otherwise.

On motion of Mr. Foley,

Resolved, That the committee on the judiciary be requested to inquire into the expediency of reporting a bill to this House making it the duty of justices of the peace to make out a bill of costs and deliver the same, with each and every execution, to the constable to whom said execution is issued.

On motion of Mr. Norvell,

Resolved, That the judiciary committee inquire into all the discrepancies of the school law, and report such amendments necessary for their correction, (if any) at as early a time as practicable.

Mr. Sutherland offered for adoption the following resolution:

Resolved, That the Indiana State Horticultural Society be permitted to hold their annual meeting in this Hall on new year's day next;

Which was not adopted.

Mr. Miller of Crawford offered the following resolution:

Resolved, That the committee on the judiciary is requested to inquire into the expediency of so amending the law that regulates fees and salaries, as to amend the same and allow sheriffs of the several counties in this state a reasonable compensation for summoning grand and petit jurors, to be paid out of the county treasury out of any

money not otherwise appropriated; said committee is requested to report by bill or otherwise;

Which was not adopted.

Mr. Barbour offered the following resolution:

Resolved, That the committee on the judiciary be instructed to report a bill to this House, providing that execution may issue on any bond given as security for costs in any suit, according to the requirements of the existing laws;

Which was not adopted.

On motion of Mr. Norvell,

Resolved, That the judiciary committee inquire into the expediency of amending the fifteenth section of the practice act relative to the docketing of cases; and report by bill or otherwise.

Mr. Saffer offered the following resolution:

Resolved, That the judiciary committee be instructed to inquire into the expediency of reporting a bill to this House allowing witnesses mileage for travelling to courts;

Which was not adopted.

On motion of Mr. Spicknall,

Resolved, That the committee on roads be instructed to inquire into the expediency of so changing the road law as to authorize the boards of township trustees to order the county road tax to be expended on those portions of roads in their respective townships as, in their opinion, the same is most needed, and report a bill to that effect.

On motion of Mr. Ford,

Resolved, That the judiciary committee be instructed to inquire into the expediency of so amending the law as to give justices of the peace exclusive jurisdiction in all actions of debt where the amount in controversy does not exceed one hundred dollars; with leave to report by bill or otherwise.

Mr. Nutter proposed the following resolution:

Resolved, That the judiciary committee be instructed to inquire into the expediency of extending the jurisdiction of justices of the peace in actions of debt above one hundred dollars;

Which was not adopted.

Mr. Hostetter offered the following resolution:

Resolved, That the committee on the judiciary be requested to inquire into the expediency of reporting a bill to postpone the provisions of an act passed at the present session of the legislature reducing fees and salaries, for twelve months, so far as relates to the per diem allowance of probate judges;

Which was not adopted.

The following message was received from His Excellency, the Governor, by T. Brown Kinder, his private secretary:

MR. SPEAKER:

I am directed by His Excellency, the Governor, to inform the House of Representatives, that he did, on the 26th inst., approve and sign

No. 46. An Act for the benefit of persons who are likely to suffer by the destruction of the records of Miami county by fire.

And then he *withdrew.!!!*

A message from the Senate, by Mr. Otto, their Secretary:

MR. SPEAKER:

The Senate has passed an engrossed bill of the House of Representatives,

No. 101. An act to provide for the election of Agent of State, State Printer, Commissioner or Superintendent on the Wabash and Erie canal, and other officers, viva voce,

With one amendment, in which I am directed to ask, respectfully the concurrence of the House of Representatives.

The amendment of the Senate to No. 101, in said message mentioned, was concurred in by the House.

Ordered, That the clerk acquaint the Senate thereof.

INTRODUCTION OF JOINT RESOLUTIONS.

Mr. Athon introduced,

No. 176. A joint resolution relative to granting lands for common school purposes;

Read a first time and passed to a second reading on to-morrow.

INTRODUCTION OF BILLS.

Mr. Robbins introduced,

No. 177. A bill attaching certain territory to the counties of Miami and Fulton;

Mr. Moore introduced,

No. 178. A bill to amend an act in relation to descents, distribution, and dower, approved February 13th, 1843;

Mr. Bowles introduced,

No. 179. A bill to provide for the relinquishing of saline lands in the county of Orange;

Mr. Moore introduced,

No. 180. A bill abolishing the office of county auditor in certain counties therein named;

Mr. Helwig introduced,

No. 181. A bill regulating the election of school trustees in the counties of Allen, Steuben, and DeKalb;

Mr. Miller of Vanderburgh introduced,

No. 182. A bill for the vacation of the town of Otsego, and for other purposes;

Mr. Mickie introduced,

No. 183. A bill providing for a school tax in the counties of Adams and Jay;

Mr. Edger introduced,

No. 184. A bill regulating the selecting of grand jurors in Randolph county;

Mr. Ferry introduced,

No. 185. A bill authorizing the relocation of a state road in the county of Allen;

Mr. Clark of Hamilton introduced,

No. 186. A bill to change the name of Rachel Will;

Which were severally read a first time and passed to a second reading on to-morrow.

Mr. Engle introduced,

No. 187. A bill giving further time to the assessor of Montgomery county;

Which was read a first and second times, (the rule being suspended therefor,) when the same was amended by extending the provisions thereof to the counties of Knox, Tippecanoe, Rush, Orange, and Crawford;

Then, on motion,

Said bill was referred to the committee on the judiciary.

Mr. Moore moved to instruct the committee to amend by making it a general law.

Mr. Hurlbut moved to amend the proposed instructions by requiring said committee to inquire into the expediency of making it a general law;

Which was not adopted.

The question then recurring on the proposed instructions of Mr. Moore;

Which passed in the affirmative.

Mr. Miller of Crawford introduced,

No. 188. A bill concerning the fees of grand and petit jurors in the counties of Crawford and Perry;

Mr. Jones of Fountain introduced,

No. 189. A bill to amend an act entitled "An act to provide for the payment of expenses incurred for the protection of the school funds and for other purposes;

Mr. Macy introduced,

No. 191. A bill to amend an act entitled "An act granting to the citizens of Madison and the town of Lawrenceburgh, a city charter;"

Mr. James introduced,

No. 192. A bill to amend an act entitled "An act to incorporate the Vevay and Napoleon and other Turnpike companies," approved February 8th, 1836;

Mr. Ferry introduced,

No. 193. A bill to vest in foreigners, title to real estate;

Which were severally read a first time and passed to a second reading on to-morrow.

Mr. Dowling introduced,

No. 190. A bill to equalize the first and seventh judicial circuits of the State of Indiana;

Which was read a first and second times, (the rule being suspended therefor) and referred to the judiciary committee.

Mr. Moore introduced,

No. 194. A bill to establish a certain road therein named, a state road;

Which was read three several times, (the rules being suspended therefor) and passed.

Ordered, That the clerk report the same to the Senate and ask their concurrence therein.

Mr. Cowen introduced,

No. 195. A bill to improve the breed of sheep;

Which was read a first and second times (the rule being suspended therefor) when,

Mr. Williamson moved to amend by inserting the word "Horses;"

Which did not prevail.

Mr. Rich proposed to amend as follows: "By inserting after the word 'ram' where it occurs, the words 'he-goat or boar hog;' "

Which was not adopted; then,

On motion of Mr. Huddleston,

The said bill was referred to the committee on agriculture.

Mr. Norvell moved the following instructions to said committee:

"To strike out all that part of Indiana south of the national road, Orange county excepted;"

Which was not adopted.

Mr. McDonald moved to reconsider the vote taken on the reference of said bill;

Which motion was decided in the negative.

Mr. Garrett moved to instruct said committee to except from the provisions of said bill, the county of Vigo;

Which did not prevail.

Mr. Norvell moved to instruct the committee to report a bill making it a local law;

Which motion was decided in the negative.

Mr. Morgan introduced,

No. 196. A bill to amend an act entitled "An act applying certaid funds to purposes of education," approved January 31st, 1843, so far as relates to Rush county;

Which was read a first and second times (the rules being suspended therefor) and referred to the committee on the judiciary.

A message from the Senate by Mr. Otto, their Secretary:

Mr. Speaker:

The Senate has passed, without amendment, engrossed bill of the House,

No. 129. A bill to reduce the compensation of the county auditor in the county of Ripley;

The Senate has passed an engrossed joint resolution thereof

No. 49. A joint resolution in relation to an appropriation on the national road in Indiana;

Also, engrossed bills thereof of the following titles:

No. 41. An act for the relief of the treasurers of the several counties therein named, and for other purposes;

No. 42. An act to amend the first section of an act entitled "An act to amend an act entitled 'An act authorizing the appointment of pilots at the falls of the Ohio in this State,' approved February 8th, 1841;

No. 56. An act to locate a state road in Sullivan county;

No. 57. An act authorizing the recorder of Lagrange county to perfect the records of said county;

In which the concurrence of the House of Representatives is respectfully requested.

Nos. 49 and 57 of the Senate, in said message mentioned,

Were severally read the first time and passed to a second reading on to-morrow.

No. 42 of the Senate in said message mentioned,

Was read the first and second times, the rules being suspended therefor) and referred to a select committee of Messrs. Wright, Rich, and Athon.

No. 41. Of the Senate in the said message;

Which was read a first and second times,

The rule being suspended therefor;

And referred to the judiciary committee.

No. 56. Of the Senate in the aforesaid message mentioned;

Was read a first and second times;

The rule being suspended therefor,

And referred to the committee on roads.

ORDERS OF THE DAY.

Bills on their second reading—

No. 170. A bill to extend certain privileges to Josephus C. Worrell;

Which was read a second time, when

Mr. Holloway moved to recommit the bill to the committee on the judiciary with instructions to amend so as to allow all school masters and mistresses of this city to have access to the State Library as others;

Which did not prevail; then

On motion of Mr. Edmonston,

The said bill was re-committed to the committee on the State Library.

On motion of Mr. Roberts of P.,

The consideration of bill No. 58 of the House, which was on the 23d instant made the special order of the the day, for this day;

Was postponed till to-morrow.

No. 173. A bill for the relief of the heirs of Melchoir Sooder and James Hayes late of Dearborn county deceased.

No. 172. A bill granting certain lands to the board of commissioners of Lake county for a burying ground.

No. 171. A bill increasing the road tax in Steuben and DeKalb counties;

Which were severally read the second time and ordered to be engrossed for a third reading on to-morrow.

No. 144. A bill to reduce the tolls on the New Albany and Vincennes road, and for other purposes;

Which was read a second time,

And referred to the committee on canals and internal improvements.

Mr. McRae proposed to instruct said committee as follows: strike out and insert in the proper place, first all appertaining to the privilege of passing through said road by the year for certain prices therein named, and requiring certificates therefor; secon, no reductions in tolls from the 1st of December to the 10th of March, annually; fourth, insert that one-half of tolls shall be laid out for repairs by said superintendent, if necessary, east of Paoli, as follows; divide into eight divisions and let out to the lowest bidder, by giving six weeks public notice; fifth, insert that all certificates issued previous to this act according to law shall hereby be so redeemed;

And before any thing definite was had thereon;

The House adjourned till to-morrow morning, 9 o'clock.

WEDNESDAY MORNING, DECEMBER, 27th, 1843.

The House met pursuant to adjournment.

The Speaker laid before the House the communication of M. G. Bright Agent of State, as follows:

Hon. the Speaker of the

House of Representatives:

In pursuance of the resolution of the 21st instant, requiring the Agent of State to communicate to the House, at his earliest convenience, a detailed statement of traveling expenses, clerk hire, law-

yer's fees, (if any,) with the aggregate amount for all purposes charged against the State by each of the fund commissioners, for the several years they acted as such commissioners or agents of State, together with the like expenditures of the Agent of State, down to this time; and also, how much of his time he has found it necessary to devote to the duties of his office, during his term of service, and how much time he is of the opinion will be required of an agent during the coming year.

I have the honor to state that up to February, 1841, there were always two, and most of the time three commissioners engaged in the service, which now devolves on the Agent of State, whose expenses of clerk hire, lawyer's fees, and most other outlays joint, and jointly charged in a general account, so that there is no means of discriminating how much was paid by one or by another. This was not the case, however, in regard to their personal expenses, of which a distinct account was kept. The accompanying abstracts, A, B, C, D, and E, show, as near as practicable, the personal and general expenses of the commissioners from 1st of January, 1836, to 1st of March 1841, as follows, viz:

From 1st January 1836, to 1st January 1837—

Traveling expenses, - -	$1,511 19	
General " - - -	434 18	
		$1,945 37

From 1st Jan. 1837, to 1st Jan. 1838—

Travelling expenses, - -	$1,516 36	
General " - -	2,215 14	
		$3,731 50

From 1st Jan. 1838, to 1st Jan. 1839—

Travelling expenses, - -	$2,042 00	
General " - -	2,626 06	
		$4,668 06

From 1st Jan. 1839, to 1st Jan. 1840—

Travelling expenses, - -	$1,971 36	
General " - -	3,878 00	
		$5,849 36

From 1st Jan. 1840, to 1st March 1841—

Travelling expenses, - -	$681 00	
General " - -	1,966 86	
		$2,647 86

Since about 1st March 1841, the service which had before been imposed on two or three, has been confined to the agency of a sin-

gle individual, so that an accurate account can be furnished of all his expenses.

Hon. N. Noble was commissioner from 1st March 1841, to 1st March 1842. He entered upon the duties of his office, however, a few days before 1st March 1841, so that he served a little over one year.

During his term the personal expenses of himself, or of agents, whom he found it necessary to employ, with the compensation to them for their services, exclusive of his own salary, amounted to the sum of - - - - - - $2,821 05
He expended in fees to attorneys, - - - 3,923 04
Other incidental outlays, - - - - - 2,110 31

$8,859 40

All of which will appear by abstract F, hereto appended.

From 1st March 1842, to the present time, being about one year and ten months, (I entered upon my duties during the last days of February) I have had the honor to act as Agent of State. During that time, the personal expenses of myself or of agents, whom I have found it necessary to employ, with the compensation to them for their services, exclusive of my own salary, amounts to $2,509 62
I have expended in fees to attorneys, who were employed by myself, - - $1,500 00
And have paid to attorneys who were retained by my predecessor, - - 1,850 00
$3,350 00
All my other incidental expenses, - - - 1,344 10

$7,203 72

Which will appear by abstract G, hereto appended.

It will be perceived that the travelling expenses of myself and predecessor are greater than of former agents. This may readily be accounted for, when it is considered that instead of making and selling bonds, which would have required us to be almost constantly stationary, it became our duty to hunt after those defaulting debtors, to whom our bonds had been sold, and who were willing to evade, and in some instances, were endeavoring to elude us altogether, by every means in their power. Instead of contracting debts, it was our unpleasant task to endeavor to collect those that had been contracted. Besides the difficulties and imbarrassments of such a service, it was necessarily attended with an increased amount of personal expense, for it threw upon us the necessity of travelling to almost every point of the compass, in quest of reluctant debtors, or for the purpose of searching into their condition, and ascertaining the probabilities of making collections. For myself, personally, I may be permitted to say that I have invariably endeavored to attend to this business in person; and this, while it has materially increased my personal expenses, has nevertheless diminished the amount of my expenditures,

for it will readily be perceived that the compensation to an assistant would have to cover substantially the same travelling expenses, besides pay to him for his services.

I have found it necessary to devote to this business my entire time, with the exception of the period from about 1st June to 1st Oct. last. Saving that period, I have scarcely been at home since I entered upon the duties of the office. How much of the time of an Agent may be required, during the coming year, in particular, I cannot venture to predict. This much, however, I do not hesitate to say, that I can perceive no reason at present, why the same care and attention will not in general, be necessary as heretofore. On this subject, I may adopt the language of my report of this year, that our securities, tho' not as valuable as when we first received them, are yet enough so to make it an object of the State to watch over and protect them. I have no doubt, that to the personal presence and attention of an Agent are to be attributed the saving of the lots at Jersey City, (which were estimated at $300,000, when we first received them in security,) and also the saving of the Stanhope Iron property, (from which we will undoubtedly realize $27,500,) and without which, these things would certainly have been lost. I have heretofore expressed the opinion, which I still entertain, that with proper care, from $300,000 to $500,000 may be realized from our suspended debt; but I believe that to do this will require the employment of an Agent, whose attention shall be almost exclusively devoted to the business.

As to clerk hire, on coming into office, I found the clerk in my department in the receipt of a salary of $750 per annum. Believing that the change of times and the diminished amount of services required, would justify it, I reduced this salary $250; and I think it susceptible, without injury to the public service, of a still greater reduction.

In some, and I believe in most instances, since the adoption of our system of internal improvements, the clerk has been paid out of the State Treasury, and not out of the system funds. This was the case in 1841; a reference to the accounts of that year shows that no charge is made either on account of the salary of the clerk or of the rent of an office. In my term, I have paid $240 for rent and $375 towards the compensation of the clerk. But other than to the regular clerk in the office, I have not, during my term, paid one dollar for clerk hire.

In regard to attorney's fees, it would seem that prior to 1841, we had little occasion for the aid of lawyers; for up to that time, I do not find that all our outlays for their services exceeded $993 96; and I may add, that the expenditure of this resulted entirely from the default of, and consequent compromise with Messrs. Cohens and Brothers. It is perhaps to be regretted that we did not sooner evoke their assistance; for it is more than probable, that had we done so, much of the difficulty, in which the business is at present involved, would have been avoided. Since 1841 we have had frequent occasions to employ counsel. The change in the condition of our affairs rendered it ne-

cessary, after that time, that various suits should be brought to protect our rights; the expenses of which thus far have amounted to near $8,000; and there is yet more to be paid. I have the account rendered of one firm, to whom over $3,000 have been paid, showing a balance against us of about $2,000 more. These expenses, however much we may regret them, are yet unavoidable, if we would protect our rights, which, in many instances, have become involved in litigation without our agency; and which we must either abandon or submit to the expense which their protection may cost. In my view, the single suit against Drew, Robinson, & Co., which resulted in the return of about $250,000 of our bonds was well brought, even though it had cost all we have ever expended for attorney's fees. Most of these expenses, it will be observed, were incurred during the year 1841; but this is owing to the fact, that during that year most of the suits were instituted. The principal expenditures by myself for counsel was to two gentlemen of our own State, whom I retained generally in all our domestic suits, requiring a laborious examination of preliminary matters, and to each of whom I gave a fee of $500, while for the defence of two of the suits that have been brought, the counsel of the opposite party received an equal amount. It will be remembered that at the session of 1841–'42, a lengthy investigation was had before a committee of the two Houses, with the acts of those who had been connected with our system of internal improvements, which resulted, not in the creation of an office of Attorney General, as was at one time proposed, with a salary, I think, of $2,500; but in the passage of an act making it the duty of the Agent of State to examine the testimony taken by the committee, and to institute such suits against officers and their securities, and other persons, corporations, and agents, as it might appear, could be maintained; and impowering him, in addition to his own professional services, to employ such further counsel as he might deem proper. (See acts 1842, page 22.)

Even had my time been less required by other parts of the service, I should have felt myself constrained by a sense of duty, and a regard to the high and delicate interests involved, both of the State and of other parties, to call to my assistance, the best professional counsel I could obtain. It was expected, I believe, that I should do this, and I did it; and though as yet, but two suits have been instituted, for reasons which appear in my report of last year, yet much time and investigation was bestowed on the subject; and the fee which I gave to those gentlemen, was no more, certainly, if any thing, it was less than a fair compensation, and, as before remarked, was no more than is paid, as I learn, to his able counsel, by the opposite party, against whom the two suits have been brought, for the single defence of those actions.

Respectfully,

Your ob't. serv't.

M. G. BRIGHT, *Agent.*

A STATEMENT

Showing the amount of individual expenses, per diem compensation, and time of service of the Fund commissioners of Indiana, together with the general expenses of the Board, from 21st Jan. 1836, to 1st Jan. 1837.

Names of Commissioners.	Time of service.	Per diem compensation.	Individual expenses.	Total.
Jeremiah Sullivan,	111 days.	$444 00		
same	4 "	8 00	$361 00	$813 00
Samuel Hannah,	123 "	492 00	379 19	
same	27 "	54 00	48 50	973 69
Isaac Coe,	239 "	956 00		
same	19 "	38 00	722 50	1,716 50
		$1,992 00	$1,511 19	$3,503 19
			General expenses of the Board,	434 18
				$3,937 37

A STATEMENT

Of the amount of individual expenses per diem compensation, time of service of the Fund Commissioners of Indiana, together with the general expenses of the Board, from January 1st, 1837, to January 1st, 1838.

Names of Commissioners.	Time of service.	Per diem compensation.	Individual expenses.	Total.
Jeremiah Sullivan,	22 days.	$44 00		$44 00
Samuel Hannah,	104 days.	208 00	$274 00	482 00
Caleb B. Smith,	107 days.	214 00	415 86	629 86
Isaac Coe,	350 days.	700 00	826 50	1,526 50
		$1,166 00	$1,516 36	$2,682 36
			General expenses of the Board,	2,215 14
			Total,	$4,897 50

C

A STATEMENT

Of the amount of individual expenses, per diem compensation, and time of service of the Fund Commissioners of Indiana, together with the general expenses of the Board, from January 1st, 1838, to January 1st, 1839.

Names of Commissioners.	Time of service.	Per diem compensation.	Individual expenses.	Total.
Isaac Coe, - - - - - -	356 days.	$712 00	$1,080 00	$1,792 00
Samuel Hannah, - - - - -	53 days.	106 00	115 76	221 76
Caleb B. Smith, - - - - - -	160 days.	320 00	427 74	747 74
James Farrington, - - - -	136 days.	272 00	418 50	690 50
		$1,410 00	$2,042 00	$3,452 00
			General expenses of the Board,	2,626 06
			Total,	$6,078 06

D

A STATEMENT

Of the amount of individual expenses, per diem compensation and time of service of the fund commissioners of Indiana, together with the general expenses of the board from 1st January 1839, to January 1st, 1840.

Names of Commissioners.	Time of service.	Per diem compensation.	Individual expenses.	Total,
Isaac Coe, - - - - - -	141 days.	$364 00	$422 50	$786 50
Caleb B. Smith, - - - - -	32 "	64 00	60 25	124 25
James Farrington, - - - - -	69 "	162 00	233 25	395 25
Lucius H. Scott, - - - - -	207 "	621 00	543 00	1,164 00
Milton Stapp, - - - - - -	197 "	591 00	712 36	1,303 36
		$1,802 00	$1,971 36	$3,773 36
		General expenses of the board,		3,878 00
			Total,	$7,651 36

E

A STATEMENT

Of the amount of individual expenses, per diem compensation and time of service of the fund commissioners of Indiana, together with the general expenses of the board from January 1st, 1840, to 1st March, 1841.

Names of Commissioners.	Time of service.	Per diem compensation.	Individual expenses.	Total.
Milton Stapp, - - - - -	121 days.	$363 00	$401 00	
same, - - - - - -	245 "	735 00		$1,499 00
Lucius H. Scott, - - - - -	100 "	300 00	280 00	580 00
N. B. Palmer, - - - - - -	200 "	600 00		600 00
		$1,998 00	$681 00	$2,679 00
		General expenses of the board,		1,966 86
			Total,	$4,645 86

F

A STATEMENT of the amount of individual expenses, lawyer's fees, clerk hire, &c., paid by Noah Noble as Fund Commissioner, from 22d February, 1841, to 1st March, 1842, as follows, viz:

Travelling expenses of himself, or agents employed by him, with their compensation.

To Sherman Day, clerk hire in New York,	$68 00	
same, for leasing oil factory,	49 25	
same, for visting land in Georgia,	294 55	
To D. Clarkson, for services in trying to sell bonds,	500 00	
To G. H. Dunn, services and expenses to New York,	325 00	
To N. Noble, for travelling expenses,	384 25	
same, for board, room, &c.,	585 00	
To D. Clarkson, for services,	25 00	
To T. A. Morris, for services as clerk,	30 00	
To A. H. Davidson for " "	56 00	
To P. Sweetzer, compensation and expenses in trip to New York,	420 00	
To N. Noble, his expenses from October to March,	84 00	
		$2,821 05

Amount paid by N. Noble to Attorneys.

To G. Wood, New York, in case N. A. T. & B. C.,	$100 00	
same, " " Drew, et. al.	300 00	
To D. Clarkson, N. York, opinion of G. W. Strong,	25 00	
To Howe & Ruggles, New York,	1,200 00	
To Wallace, Philadelphia,	25 00	
To John S. Talbott, Detroit,	15 00	
To Fillmore & Havens, Buffalo,	39 15	
same, "	250 00	
To Murray, Ryman & Murray, London,	488 89	
To J. H. Williamson, New Jersey,	300 00	
To Howe & Ruggles, New York,	100 00	
To Thos. D. Bairde, Indiana,	50 00	
To John D. Defrees, "	250 00	
To Howe & Ruggles, New York,	684 00	
To S. C. Stevens, Indiana,	25 00	
To J. H. Williamson, New Jersey,	76 00	
		$3,928 04

Incidental expenses of a general nature, paid by N. Noble.

To P. A. Mesier, for stationary, - -	$10 89	
To McAlister & Stebins, for advertising -	3 00	
To J. D. Campbell, for services as Notary, -	16 00	
To J. S. Hunt & Co., bill postage, - -	7 00	
To Rawdon, Wright & Hatch, engraving bonds,	850 00	
To J. H. Taylor, clerk's fee, - - -	4 80	
To Indianapolis Branch Bank, for Exchange,	400 00	
For premium of $5,000 Exchange, on New York, - - - - - - -	680 62	
For copying and recording mortgages, - -	90 25	
For postage, - - - - - - -	42 75	
		$2,110 31
Noah Noble for salary, from 22d February, 1841, to 1st March, 1842, - - -		1,528 80
Total, - - - -		$10,388 20

G

A STATEMENT of the amount of individual expenses, Attorney's fees, clerk hire, &c., paid by M. G. Bright, as Agent of State, from 1st March, 1842, to the present time, as follows, viz:

Travelling and other expenses of himself, or Agents employed by him, with their compensation.

To Mr. Hughs, for services and expenses to Columbus Ohio, about claim, *vs.* Bank of Circleville, - - - - - -	$52 12	
To M. Stapp, for travelling expenses of trip to Easton, Pennsylvania, - - - -	12 50	
To M. G. Bright, for his travelling and other expenses, to 1st May, 1843, - - -	2,135 00	
same, for expenses from 1st May, 1843, to 1st November, 1843, - - -	310 00	
		$2,509 62

Amount paid Attorneys by M. G. Bright.

To B. F. Butler, New York, - - -	$125 00	
To S. Cassady, New Jersey, - - -	150 00	
*To Howe & Ruggles, New York, - -	1,000 00	
To G. Clark, " - - -	50 00	
To Jas. Morrison, Indiana, - - -	500 00	
To Jas Whitcomb, " - - - -	500 00	
*To John S. Talbott, Detroit, - - -	100 00	
same, " - - -	15 00	
To John Hurlburt, Auburn, - - -	10 00	
*To Berrien, Georgia, - - - -	200 00	
*To J. H. Williamson, New Jersey, - -	550 00	
To Howe & Ruggles, New York, - -	100 00	
To J. M. Gorden, Baltimore, - -	50 00	
		$3,350 00
The items thus "" marked were paid, on account of the retainer of Gov. Noble, - - -		1,850 00
		$1,500 00

Incidental expenses of a general nature paid by M. G. Bright.

For trunk for carrying papers, - -	$18 00
For stationary and blank books, -	33 50
For postage to 1st October, 1842, -	25 00
For premium for exchange on New York,	80 00
For J. H. Taylor for official bonds, -	50
For deed to Williams, Poughkeepsie, -	3 75
For recording deed, Hartwell to Woodburn,	1 00
For searches in Brooklyn, - -	1 13
For recording deed, Josephs to Coe, -	3 00
For proof in brankruptcy, - -	1 00
For searches in Erie county, - -	34 07
For " in Rochester, -	5 50
For recording deed in Hudson Co., -	1 75
For searches in New York, - -	3 37
For recording deed in New Jersey, -	2 50
For certificate of deed of Stapp, -	1 25
For searches for judgments in New York,	1 00
For copy of writ vs. M, C, and B, Co.,	2 64
For recording mortgage of Chambers, -	3 50
For " " of Denyce, -	2 25
For depositions and postage paid M. Stapp,	28 88
For proof of debt in bankruptcy, -	1 00

For certificate of mortgage of Biddle, - -	50	
For M. D. Latt for recording four Mortgages, -	4 00	
To J. McKay for transcript of account of M. C. and B. Co., with Indiana, - - -	125 00	
To N. P. Sprague for copy of records, -	40 81	
To Wm. S. Hubbard, clerk hire, - -	250 00	
To P. A. Mesein for stationary, - -	13 75	
For recording deed at Buffalo, - - -	1 00	
For protest of Detroit and Pontiac railroad bonds,	3 75	
For searches and abstract N. A. T. and B. Co.,	3 00	
For postage to 1st May, 1843, - - -	60 00	
For stationary at sundry times, - - -	11 75	
For two trunks, - - - - -	8 00	
For advertising in Journal of Commerce, -	12 95	
For office rent at Indianapolis, - - -	240 00	
For Notarial copy of official appointment, -	1 50	
For carpet bag, - - - - -	5 00	
For mending trunk, - - - -	2 00	
For power of attorney to J. J. Palmer, -	1 00	
To Rob't Gilchrist for extracts from records, -	25 00	
To Wm. S. Hubbard, clerk, - - -	125 00	
To A. Ten Eyck for proof in bankruptcy, -	10 00	
To J. H. Williamson, expenses of trip to Patterson, - - - - - -	12 75	
To John L. Talbott costs in bankruptcy, -	79 99	
To Matt. Ogden for depositions in chancery, -	45 46	
For searches in Hudson Co., New Jersey, -	8 00	
		$1,344 82
M. G. Bright's salary for two years, - -		2,400 00
Total,		$9,604 44

A STATEMENT of the amount of lawyer's fees paid by the fund commissioners from 1st January 1836, to 1st March 1841.

July 8th, 1837.	To Jesse Hoyt, New York, - -	$55 00
Sept. 2d, "	To Sam'l. L. Southard, New York, -	50 00
Nov. 11th, "	To A. Day, New York, - - -	25 00
Nov. 11th, 1838.	To J. & L. McMahan, Baltimore, -	150 00
Jan. 2d, "	To Jesse Hoyt, New York, - -	250 00
Jan. 2d, "	To L. Dunlap, Philadelphia, - -	10 00
Nov. 26th, "	To Jesse Hoyt, New York, - -	453 96
Total,		$993 96

Which was,

On motion of Mr. Norvell,

Laid on the table.

The Speaker laid before the House the petition of citizens of Miami Reserve praying for the organization of Richardsville county as a separate county;

Also the petition of the same in relation to the same subject;

Also one other petition from the same in relation to the same subject, together with the proceedings had at a meeting of the citizens;

The Speaker also laid before the House the proceedings of a convention of the citizens of the Miami Reserve, held at the camp ground on the 30th September, 1843; and also of the citizens of Richardsville county, held at a school house near Thomas McClure's on the second day of December, 1843, for the purpose of adopting measures to have that county organized as a separate county;

Which were severally read and referred to the same select committee on the same subject.

The Speaker laid before the House the following communication from J. B. Dubois:

FORT WAYNE, INDIANA,
December 17th, 1843.

DEAR SIR: You will please to present the following to the General Assembly of your State:

Gentlemen of the House of Representatives of Indiana:

I hereby take this plan of announcing myself a candidate for President of the State Bank of Indiana.

If elected, the duties will be faithfully discharged.

Yours respectfully,

J. B. DUBOIS.

Which was,

On motion of Mr. Parker,

Referred to the committee on the State Bank.

PETITIONS WERE THEN PRESENTED,

By Mr. Ferry,

Of R. C. Green and others, citizens of Delphi, praying to have a company chartered to supply that town with wholesome water;

Which was read and referred to the committee on corporations.

By Mr. Blakemore,

Of citizens of Cass county in relation to the seminary fund in Cass county;

Which was read and referred to the committee on education.

By Mr. Smith,

The memorial of T. P. Britton, asking for the repeal of a certain act therein named.

By Mr. Jones of Fountain,

Of John Evans, upon the subject of insanity and a lunatic asylum;

Which was read and referred to the committee on education.

By Mr. Robbins,

Of citizens of Fulton county, asking that Job Meredith might have the privilege of building a mill dam five feet high across the Tippecanoe river;

Which was referred to a select committee of Messrs. Robbins, Burton, and Shelby.

By Mr. McConnell,

Of citizens of Benton [county,] praying that the sale of certain real estate as therein named, might be legalized;

Which was read and referred to the committee on education.

By Mr. Logan of Pike,

Of Thomas C. Stewart, in relation to the surplus revenue in said county;

Which was read and referred to a select committee of Messrs. Logan of Pike, Williams, and Macy.

By Mr. Keimer,

Of citizens of Blackford county, to change the mode of selecting petit jurors in said county;

Which was read and referred to a select committee of Messrs. Keimer, Chapman, and Cowen.

By Mr. Boone,

Of sundry citizens of Boone county, praying for an alteration in the present mode of electing road supervisors;

Which was read and referred to a select committee of Messrs. Boone, Spicknall, and Byers.

REPORTS FROM STANDING COMMITTEES.

Mr. Bowles, chairman of the committee on ways and means, made the following report:

Mr. Speaker:

The committee of ways and means, to which was referred a bill of the House, No. 135, to suspend the further issue of five dollar treasury notes for the redemption of fifties, have had the same under consideration and have directed me to report it to the House without amendment, and respectfully recommend its passage.

The bill No. 135, in said message mentioned, was ordered to be engrossed for a third reading on to-morrow.

Mr. Mooney, from the same committee, made the following report:

Mr. Speaker:

The committee of ways and means, to whom was referred the bill of the House entitled

No. 107. A bill for the better securing of, and collecting the revenue of the State of Indiana,

Which provides, among other things, for the election of township collectors of the state and county revenue, and "that the constables annually elected at the April elections in each township of the several counties in this State, receiving the greatest number of votes, shall be *ex officio*, collectors of the county and state revenue for such township"—have had the same under consideration, and cannot approve of the mode of collecting the public revenue, nor of the manner of electing the officer for that purpose, contemplated by said bill. The committee have therefore directed me to report the same back to the House and recommend its indefinite postponement.

The above report was concurred in by the House and the bill postponed indefinitely.

Mr. Bowles, chairman of the same committee, made the following report:

Mr. Speaker:

The committee of ways and means, to which was referred a bill of the House No. 136, to provide for the payment of taxes by non-residents through the Treasurer of State, have had the same under consideration, and directed me to report it to the House without amendment, and respectfully recommend its passage;

The bill No. 136, in the above report mentioned, was then ordered to be engrossed for a third reading on to-morrow.

Mr. Bowles, also made the following report:

Mr. Speaker:

The committee on ways and means to which was referred a bill of the Senate No. 21, in relation to the sale of delinquent lands and town lots, have had the same under consideration, and have directed me to report it back with one amendment, which is to strike out the 2d section, and insert the following:

"This act to take effect and be in force from and after its passage."

The said amendment by the committee, was concurred in by the House, and ordered to be engrossed.

The bill then passed to the third reading on to-morrow.

Mr. Matheny, from the same committee, made the following report:

Mr. Speaker:

The committee of ways and means, to which was referred No. 160 a bill on the subject of taxation, in the town of Evansville, have had that subject under consideration, and have directed me to report it back and recommend its passage;

No. 160. In the above report mentioned, was then ordered to be engrossed for a third reading on to-morrow.

Mr. Ferry, chairman of the committee on corporations, made the following report:

Mr. Speaker:

The committee on corporations, to which was referred bill No. 132 of the House, entitled a bill to amend an act entitled "An act to incorporate the Logansport and Wabash bridge company," have had the same under consideration, and have directed me to report the same back to the House with the following amendment: insert after the words "Cass county," the following, "or other persons," and after the words "Sabbath day" insert, "provided they shall pass the said bridge upon the same day that they attend any such place of worship."

In which amendments the concurrence of the House is respectfully requested.

The amendment of the committee to the said bill, was concurred in, and the same ordered to be engrossed for a third reading on to-morrow.

Mr. Edmonston, chairman of the committee on the State Bank, made the following report:

Mr. Speaker:

The committee of the State Bank, to which was referred a bill of the House No. 141, on the subject of the State Bank and Branches, have had that subject under consideration, and directed me to report the same back without amendment, and direct its reference to the judiciary committee, and ask to be discharged from the further consideration of that subject.

Which report was concurred in, and the said bill referred to the judiciary committee.

Mr. Edmonston, chairman of the same committee, made the following report:

Mr. Speaker:

The committee on the State Bank to which was referred a bill of the House No. 111, to repeal an act therein named, have had the same under consideration and directed me to report the same back amend-

as follows, to wit: strike out from the enacting clause and insert the bill herewith reported;

The amendment of the committee was concurred in by the House and the bill ordered to be engrossed for a third reading on to morrow.

REPORTS FROM SELECT COMMITTEES.

Mr. Macy, from a select committee, made the following report:

MR. SPEAKER:

The select committee to whom was referred a bill of the House No. 139, to amend an act entitled "An act to provide for the collection of the debt due the Lawrenceburgh and Indianapolis railroad company," have had the same under consideration and authorize me to report the same back to the House without amendment.

The said bill in the said report mentioned was then ordered to be engrossed for a third reading on to-morrow.

Mr. Roberts of Laporte, from a select committee, made the following report:

MR. SPEAKER:

The select committee to whom was referred the petition of certain citizens of the county of St. Joseph, praying, for reasons therein named, that the boundary line between St. Joseph and Laporte counties may be arranged and defined so as to include and attach said citizens to the county of Laporte, have instructed me to report that after due consideration, the prayer of the petitioners ought not to be granted, and that it is inexpedient to legislate any further thereon, and therefore ask to be discharged;

Which report was concurred in and the committee discharged.

RESOLUTIONS OF THE HOUSE.

Mr. Rich proposed for adoption the following preamble and resolution:

WHEREAS, the constitution appropriates certain funds to seminary purposes:

AND WHEREAS, in most counties there is but one seminary: Therefore,

Resolved, That the committee on education be instructed to inquire into the expediency of so amending the existing law as to provide for one seminary in each school district in this State, which shall share in said funds; and report by bill or otherwise.

Mr. Norvell moved to amend by inserting that " Trustees shall be appointed by the board of county commissioners;"

Which was adopted.

Mr. Hurlbut moved to amend said resolution by striking out " school district," and inserting " congressional townships;"

Which was not adopted.

The question being,

" Shall said resolution, as amended, be adopted?

It was decided in the affirmative.

Mr. Sutherland offered for adoption the following resolution:

Resolved, That the Indiana State Horticultural Society be permitted to hold their annual meeting in this Hall on new year's day next;

Mr. Roberts of Putnam moved to amend as follows:

" That the use of the Hall be granted from 11 to 3 o'clock P. M. on said [day];"

Which was not adopted.

The resolution, as proposed by Mr. Sutherland, was then adopted.

On motion of Mr. Huddleston,

Resolved, That the standing committee on education be instructed to inquire into the expediency of so amending the school law as to constitute the school trustees of each township a board of examiners of the teachers who may desire to teach school in their several townships, and to grant certificates of qualifications to such as are qualified, instead of the present mode of appointing examiners of teachers.

On motion of Mr. Allen of Laporte,

Resolved, That the judiciary committee be instructed to inquire into the expediency of providing by law that the two oldest justices of the peace in each civil township in this State, be, ex officio, overseers of the poor for their townships; with leave to report by bill or otherwise.

Mr. Roberts of Laporte proposed for adoption the following resolution:

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of so amending the laws now in force in relation to the crime of disinterring dead bodies, as to make said crime punishable with fine and imprisonment;

And the question being,

" Shall said resolution be adopted?"

And the ayes and noes having been demanded by Messrs. Gregory and McDonald,

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Allen of Putnam, Barrett, Bearss, Blakemore, Boone, Bowles, Burton, Byers, Chapman, Clark of Tippecanoe, Coffin, Conner, Cowen, Cuppy, Dowling, Edger, Edmonston, Elder, Engle, Ford, Foley, Fuller, Garrett, Gilbert, Gregory,

Halbert, Handy, Hannah, Hardin, Harris, Harrison, Helwig, Hiatt, Hobbs, Hodges, Holloway, Hostetter, Huddleston, Hurlbut, Jones of Fountain, Jones of Franklin, Keimer, Kerr, Lee of Jefferson, Logan of Pike, Logan of Washington, Macy, McAllister, McConnell, McDonald, McRae, Mickle, Miller of Crawford, Miller of Vanderburgh, Montague, Montgomery, Mooney, Moore, Morgan, Nutter, O'Neal, Palmer, Parker, Reed, Rich, Robbins, Roberts of Laporte, Roberts of Putnam, Saffer, Seller, Shelby, Simonson, Simpson, Smith, Spicknall, Sutherland, Tevis, Turman, Verbrike, Williams, Williamson, Wolfe, Woolman, and Mr. Speaker.—85.

Those who voted in the negative are,

Messrs. Athon, Barbour, Chambers, Clark of Hamilton, Ferry, Lee of Posey, Matheny, McClure, and Wright.—9.

So said resolution was adopted.

On motion of Mr. Verbrike,

The following preamble and resolution were adopted:

WHEREAS, it is well understood by every honorable gentleman in the Hall, that the people of Indiana are not able, at this time, to meet their liabilities without a ruinous sacrifice of property: AND WHEREAS, the wealth and prosperity of this State depend solely upon the efforts of the farmer and mechanic, whose labor compose their capital, and whose tools are indispensible in the prosecution of their various branches of business, and without them they could neither support their families nor pay one cent of the accumulating debt: AND WHEREAS, the wealth, happiness, and prosperity of merchants, stocktraders, doctors, lawyers, legislators, and, in short, the whole retinue of professional gentlemen depend solely upon the untiring efforts of the hard fisted yeomanry of our country for support, common sense would therefore seem to dictate, that any legislative enactments that would retard or cripple the resources of so vital a principal in our present hard struggle would be highly impolitic, and would have no other tendency than to paralize the energies of those poor men who are now making their last effort to extricate themselves from their present embarrassment: Therefore,

Resolved, That the judiciary committee be instructed to inquire into the expediency of so amending the law as to exempt from execution such farming implements as are indispensible to the successful prosecution of the farming business; also, exempt from execution the tools of carpenters, joiners, coopers, chair makers, blacksmiths, and, in short, the tools of all kinds of mechanics pursuing a laudable occupation in this State; the committee taking into consideration at the same time the trivial amount realized by the sale of the above implements, even at two thirds of their cash value, and compare the same with their utter inability to support their families, or pay one cent on the accumulating debt, and thereby fall into idle and dissolute habits, proving a curse rather than a blessing to society; with leave to report by bill or otherwise.

INTRODUCTION OF BILLS.

Mr. Mickle introduced,

No. 197. A bill to give effect to an act therein named;

Mr. Spicknall introduced,

No. 200. A bill to extend the time of holding probate courts in Dearborn county;

Mr. McDonald introduced,

No. 201. A bill to incorporate the Porter county manufacturing company;

Which were severally read a first time and passed to a second reading on to-morrow.

Mr. O'Neall introduced,

No. 198. A bill to legalize the proceedings of the board of county commissioners of Green county;

Which was read three several times, (the rules being suspended therefor) and passed.

Ordered, That the clerk report the same to the Senate and ask their concurrence therein.

Mr. McConnell introduced,

No. 199. A bill for the relief of Post Masters;

Which was read the first time and,

On motion of Mr. Hurlbut,

Said bill was rejected by the House.

ORDERS OF THE DAY.

Bills on their second reading—

No. 178. A bill to amend an act in relation to descents, distribu tion, and dower, approved February 13th, 1843;

Which was read the second time and referred to the judiciary committee.

No. 179. A bill to provide for the relinquishing of saline lands in the county of Orange;

Which was read the second time and referred to committee on education.

No. 180. A bill abolishing the office of county auditor in certain counties therein named;

Which was read the second time and amended by extending the provisions thereof to the counties of Lawrence, Bartholomew, Harrison, Grant, Hamilton, Tippecanoe, Perry, Orange, and Sullivan.

Mr. Rich moved to amend by making a general law on that subject;

Which motion did not prevail.

Mr. Moore moved to consider the amendments to said bill as engrossed and that the same be read a third time now;

Which was not agreed to.

Mr. Speaker, (Mr. Simonson in the chair) moved to indefinitely postpone the said bill:

And, on that motion, he and Mr. Roberts of Putnam demanded the ayes and noes:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Barrett, Bearss, Blakemore, Boone, Clark of Hamilton, Coffin, Cowen, Cuppy, Engle, Ferry, Foley, Gilbert, Gregory, Hannah, Handy, Harris, Harrison, Helwig, Hiatt, Holloway, Hostetter, Huddleston, Hurlbut, Keimer, Kerr, Lee of Posey, McAlister, McClure, McConnell, Miller of Vanderburgh, Morgan, Nutter, Parker, Reed, Roberts of Laporte, Saffer, Shelby, Simpson, Sutherland, Tevis, Williamson, Wolfe, and Mr. Speaker.—44.

Those who voted in the negative are,

Messrs. Allen of Putnam, Athon, Barbour, Bowles, Burton, Byers, Chambers, Chapman, Clark of Tippecanoe, Conner, Edger, Edmonston, Elder, Ford, Fuller, Garrett, Halbert, Hobbs, Hardin, Hodges, Jones of Fountain, Jones of Franklin, Logan of Pike, Logan of Washington, Macy, Matheny, McDonald, McRae, Mickle, Miller of Crawford, Montague, Mooney, Moore, Norvell, O'Neal, Palmer, Robbins, Roberts of Putnam, Seller, Simonson, Smith, Spicknall, Turman, Verbrike, Williams, and Woolman—47.

So said motion was decided in the negative.

Then, on motion of Mr. Moore,

The said bill was committed to a select committee of Messrs. Moore, Bowles, O'Neal, Norvell, Woolman, and McRae.

And on motion,

The House adjourned until 2 o'clock P. M.

2 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Palmer, on leave being obtained for that purpose, introduced the following resolution:

Resolved, That the members of this House shall not be entitled to their per diem allowance as members of this General Assembly, for the 1st day of January next, they having in effect agreed to adjourn for that day; which was

On motion of Mr. Edmonston,

Laid on the table.

The House then resumed the consideration of the

ORDERS OF THE DAY.

No. 58. A bill reviving and amendatory of an act entitled "An act for the relief of the settlers on the Wabash and Erie canal lands;" approved Feb. 24, 1840;

The above bill being under consideration, as by previous order.

Mr. Blakemore proposed the following amendment:

Strike out the 2d section, and insert the following:

"SEC. 2. That in case any other person than the settler on any of said lands should purchase the same, said purchaser shall pay said settler or his assigns, the appraised value thereof in cash, and should any such settler on said lands, or their assigns, fail to purchase the same on the day of sale, or within one year thereafter, and pay six per cent interest per annum, on the appraised value of the same, from and after the day on which it may be offered for sale, he, she, or they may be compelled to receive of any person that may purchase said lands, so improved, canal scrip for all such improvements as may have been made since the 23d day of January, 1843."

Mr. McDonald moved to re-commit the said bill to a select committee, with the following instructions:

"To report a bill repealing so much of the laws as provide for the reception of scrip for improvements made on canal lands, previous to the year 1842, by settlers on said lands, and also making provisions for settlers since that time;"

Which motion was decided in the negative.

The question then recurring upon the proposed amendment of Mr. Blakemore;

And the ayes and noes having been demanded by Messrs. Bearss and McDonald:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Barrett, Bearss, Blakemore, Boone, Bowles, Byers, Chapman, Clark of Hamilton, Clark of Tippecanoe, Cowen, Cuppy, Edger, Elder, Ferry, Foley, Fuller, Gilbert, Handy, Hardin, Harrison, Helwig, Hiatt, Hobbs, Holloway, Huddleston, Hurlbut, James, Keimer, Lee of Posey, Macy, Matheny, McAlister, McConnell, McDonald, Mickle, Montague, Montgomery, Mooney, Morgan, Norvell, Nutter, Parker, Read, Robbins, Roberts of Laporte, Rich, Seller, Smith, Spicknall, Tevis, Turman, Verbrike, Williamson, Wolfe, Woolman and Mr. Speaker—57.

Those who voted in the negative are,

Messrs. Allen of Putnam, Athon, Barbour, Burton, Chambers, Coffin, Conner, Dowling, Edmonston, Engle, Ford, Garrett, Gregory,

Halbert, Hannah, Harris, Hodges, Hostetter, Jones of Fountain, Jones of Franklin, Kerr, Lee of Jefferson, Logan of Pike, Logan of Washington, McClure, McRae, Miller of Crawford, Miller of Vanderburgh, Moore, O'Neal, Palmer, Roberts of Putnam, Saffer, Shelby, Simonson, Simpson, Williams, and Wright—38.

So said amendment was adopted.

Mr. Palmer moved to amend further, as follows:

Strike out so much of the first section, and wherever it may occur, the words "or owners of improvements."

Mr. Blakemore moved to amend the proposed amendment of Mr. Palmer as follows:

After the word "improvements" insert "of persons settling on said lands since the 23d of January."

Mr. Saffer made a motion to indefinitely postpone said bill;

Which motion did not prevail.

The question then recurring on the adoption of Mr. Blakemore's amendment to the proposed amendment of Mr. Palmer;

Which was decided in the negative.

Then the question recurred upon the proposed amendment of Mr. Palmer;

Which was decided in the affirmative.

Mr. Cuppy proposed to amend Mr. Blakemore's amendment as follows:

"That any person or persons on lands selected by the State, since the 23d day of January, 1843, shall not be compelled to receive scrip for their said improvements."

Mr. Ferry moved the previous question;

Which was seconded by the House.

The question being,

Shall the main question be now put?

It passed in the affirmative.

The main question was then put, to-wit:

Shall the bill be engrossed for a third reading?

Which passed in the affirmative.

The following message was received from the Senate by Mr. Doran, their Assistant Secretary:

Mr. Speaker:

I am directed by the Senate to inform the House of Representatives that the Senate has passed without amendment, engrossed bill of the House of Representatives, of the following title:

No. 198. An act to legalize the proceedings of the board of county commissioners of Greene county.

The following message was received from the Senate by Mr. Doran, their Assistant Secretary:

Mr. Speaker:

The Senate has passed an engrossed bill of the House of Representatives, entitled:

No. 131. An act to amend the fourth article of the 16th chapter of the Revised Statutes, so far as relates to the county of Washington, with two amendments;

In which the Senate has directed me to ask respectfully the concurrence of the House of Representatives.

The amendments of the Senate to No. 131, in said message mentioned, were concurred in by the House.

Ordered, That the clerk inform the Senate thereof.

Mr. Parker, on leave, presented the claim of Isaac P. Smith, praying compensation for his services as superintendent of the new State Prison;

The Speaker also laid before the House a communication from the same, in reference to a compensation for making an estimate and plan for a State Lunatic Asylum;

Which were severally referred to the committee on ways and means.

Mr. Hurlbut presented documentary evidence in support of the claim of James Vawter of Jefferson county, for loss of steam boilers;

Which was referred to the committee on claims.

The following message was received from the Senate by Mr. Otto, their Principal Secretary:

Mr. Speaker:

The Senate has passed without amendment, engrossed bills of the House of Representatives, of the following titles:

No. 16. An act in relation to the probate courts in Dubois county;

No. 41. An act to provide for the establishment of an additional place of holding elections in Vermillion county;

No. 55. An act to change the time of holding probate courts in Martin county;

No. 72. An act regulating elections in the counties of Adams and Jay;

No. 143. An act to legalize the sale of certain real estate of the minor heirs of James Whitaker, in the county of Noble;

Also, engrossed joint resolutions of the House of Representatives, of the following titles:

No. 61. A joint resolution in relation to a Light House at City West;

No. 93. A joint resolution in relation to a canal at the falls of the Ohio river;

No. 149. A joint resolution in relation to a grant of land for the completion of the Northern end of the Central canal;

The Senate has passed an engrossed bill of the House of Representatives,

No. 64. An act to restrict the assessment of a poll tax within the county of Spencer, with amendments;

And an engrossed joint resolution of the House of Representatives,

No. 60. A joint resolution in relation to certain repairs on the bridge across White river, on the National road, with amendments;

In which several amendments the concurrence of the House of Representatives is respectfully requested.

The Senate has passed engrossed bills thereof, of the following titles:

No. 18. An act for the relief of purchasers of school lands;

No. 43. An act amending the nineteenth section of the twelfth chapter, article seven of the Revised Statutes of 1843, so far as the the same relates to certain counties therein named;

No. 48. An act to constitute the several boards of county commissioners in this State trustees of their respective county libraries;

No. 52. An act to prohibit the sale of spirituous or fermented liquors in the town of Greensboro, in Henry county;

No. 56. An act for the relief of James Vawter of Jefferson county;

No. 62. An act to repeal an act entitled "An act relating to public roads and highways," approved Feb. 17, 1838, approved Jan. 29, 1842;

No. 63. An act fixing the time of holding circuit courts in the several counties in the fifth judicial circuit;

No. 64. An act regulating the granting of licenses in the counties of Adams, Allen, Huntington and Wells;

No. 65. An act for the benefit of the illegitimate children of John T. McClelland;

No. 69. An act to require the superintendent of the Wabash and Erie canal to give bond and take an oath of office;

No. 76. An act creating an additional place of holding elections in Parke county;

Also, an engrossed joint resolution thereof,

No. 34. A joint resolution on the subject of organizing Oregon Territory;

In which the concurrence of the House of Representatives is respectfully requested.

The amendments of the Senate to engrossed bill and joint resolution of the House, No. 60 and 64, in said message mentioned, were severally concurred in by the House.

Ordered, That the clerk inform the Senate thereof.

No. 76, 62, 65, 43, 18, 48, 52, and 64, in said message mentioned, were severally

Read a first time and passed to a second reading on to-morrow.

No. 63. In said message mentioned, was

Read a first and second times,

The rule being suspended therefor,

And referred to a select committee of Messrs. Foley, Boone, Conner, Barbour, Handy, Hardin, Sutherland and Verbrike.

No. 34. In said message mentioned, was

Read a first and second times,

The rule being suspended therefor,

And referred to the committee on federal relations.

No. 56. In the said message mentioned, was

Read a first and second times,

The rule being suspended therefor,

And referred to the committee on claims.

No. 69. In the aforesaid message mentioned, was

Read a first and second times,

The rule being suspended therefor,

And referred to the judiciary committee.

Then, on motion,

The House adjourned until to-morrow morning 9 o'clock.

THURSDAY MORNING, DEC. 28th, 1843.

The House met pursuant to adjournment.

PETITIONS WERE PRESENTED.

The Speaker laid before the House the petition of 150 citizens of Carroll county, for a re-location of the county seat thereof.

Also the petition of 300 citizens of Carroll and Clinton for a new county out of Carroll and Clinton counties, and of the Miami Reserve, at Burlington;

Which were severally read and referred to the committee on the judiciary.

By Mr. Sutherland,

Of citizens of Marion county, for abolishing the office of county auditor in Marion county;

By Mr. Gorman,

Of Lewis Ballmann, assignee of Thomas Wilson, praying certain relief therein named;

By Mr. Huddleston,

Of James Woods and others, in relation to the law regulating the writs of capias ad respondendum, and other writs;

Which were severally read and referred to the committee on the judiciary.

By Mr. Tevis,

Of Jno. McIntire, on the subject of an over assessment of property adjoining the city of Madison;

By Mr. Miller of V.,

Of citizens of Vanderburgh county, on the subject of a general reduction of fees and salaries;

Which were severally read and referred to the committee on ways and means.

By Mr. Mickle,

The memorial and petition of the heirs of George Bishop, asking certain relief therein named;

Which was read and referred to a select committee of Messrs. Mickle, Rich and Ford.

By Mr. Garrett,

Of Adison Williams and nine others, asking that a certain portion of Sullivan county might be attached to the county of Vigo;

Which was read and referred to a select committee of Messrs. Garrett, Hodges, Dowling, Turman, O'Neal, Halbert and Moore.

By Mr. Sutherland,

Of the citizens of the town of Indianapolis, for a change in the mode of electing officers of the town of Indianapolis;

Which was read and referred to the committee on corporations.

By Mr. Bearss,

The remonstrance of citizens of Miami county, against any division of school district No. 8, in congressional township No. 29, north, of range 4 and 5, east, in said county.

Which was referred to a select committee of Messrs. Bearss, Moore and Miller of C.

By Mr. Boone,

Of Samuel Reye and others, on the subject of a road therein named;

Which was read, and on his motion,

Laid on the table.

By Mr. Gorman,

Of citizens of Monroe county, on the subject of the salary of the county auditor of said county;

Which was read and referred to a select committee of Messrs. Gorman, Blakemore and Moore.

Mr. Gorman also presented a platt of certain alleys and seminary lands in Monroe county;

Which was referred to a select committee of Messrs. Gorman, Blakemore and Moore.

REPORTS FROM STANDING COMMITTEES.

Mr. Bowles, chairman of the committee on ways and means, made the following report:

Mr. Speaker:

The committee of ways and means, to which was referred the petition of Isaac P. Smith, on the subject of his claims as superintendent of the new Penitentiary, have had that subject under consideration, and directed me to report the same to the House and ask its reference to the committee on claims;

Which report was concurred in by the House, and said claims were then referred to the committee on claims.

Mr. Bowles also made the following report:

Mr. Speaker:

The committee of ways and means to which was referred a petition of Mr. Donivan and other citizens of Carroll county on the subject of tavern and grocery license, have had that subject under consideration and directed me to report a bill in accordance with the prayer of the petitioners, which is herewith submitted;

No. 202. A bill relative to tavern license in Carroll county, which was

Read a first time and passed to a second reading on to-morrow.

Mr. Conner, chairman on engrossed bills, made the following report:

Mr. Speaker:

The committee on engrossed bills have examined the following enrolled, with the engrossed bills of the House and find them correctly enrolled, to-wit:

No. 100. An act to extend an act entitled "An act to compel speculators to pay a road tax, &c."

No. 101. An act to provide for the election of Agent of State, State Printer, Commissioner or Superintendent on the Wabash and Erie canal, and other officers by *viva voce.*

No. 129. An act to reduce the compensation of county auditor in the county of Ripley.

No. 21. An act to legalize the proceedings of the board of commissioners of the county of Allen, at a special session thereof.

No. 9. An act to repeal an act entitled "An act to authorize the

removal of the obstructions to the free passage of the water down Mud creek and the mill fork of Eel river in Morgan county."

No. 7. An act to authorize Sarah Ann Lockwood, a minor, to unite with her husband Charles U. Lockwood in the conveyance of real estate.

Whereupon the Speaker signed the same.

Ordered, That the clerk carry them to the Senate for the signature of the President thereof.

A message from His Excellency, the Governor by Mr. Kinder, his private secretary;

Mr. Speaker:

I am directed by His Excellency, the Governor to inform the House of Representatives that he did on the 28th inst., approve and sign an act No. 7, to authorize Sarah Ann Loockwood, a minor, to unite with her husband Chalres U. Lockwood, in the conveyance of real estate.

Also, An act No. 129, to reduce the compensation of the county auditor in the county of Ripley.

Also, An act No. 21, legalizing the proceedings of the board of commissioners of the county of Allen, at special sesssion thereof.

Also, An act No. 100, to extend an act entitled "An act to compel speculators to pay a road tax equal to that paid by actual settlers approved Jan. 31st, 1842."

Also, An act No. 101, to provide for the election of Agent of State, State Printer, Commissioner or Superintendent on the Wabash and Erie canal, and other officers by *viva voce*.

Also, An act No. 9, to repeal an act to authorize the removal of the obstructions to the free passage of the water down Mud creek and the mill fork of Eel river, in Mongan county, approved Feb. 10th 1841.

Mr. Parker, chairman of the judiciary committee, made the following report:

Mr. Speaker:

A majority of the judiciary committee to whom was referred the communication to the Governor of J. J. Cohen, jr., who represents the late firm of J. J. Cohen, jr. and Brothers, of Baltimore, in reference to an unsettled note of five thousand dollars by said firm, heretofore executed to the State, have had that matter under consideration and being clearly of the opinion that the joint resolution of the last legislature of this State contemplated the settlement of said note in like manner as the residue of the fifty thousand dollars, then unsettled between the State and said firm, and that good faith requires that the settlement of the same be no longer postponed, they therefore report the accompanying joint resolution and recommend its immediate passage.

Mr. McDonald on behalf of a minority of the committee made the following counter report:

Mr. Speaker:

The minority of the judiciary committee to whom wasreferred the communication to the Governor, of J. J. Cohen, jr., who represents the late firm of J. J. Cohen, jr., and Brothers, of Baltimore, in reference to what he claims to be an unsettled note of $5000, heretofore executed to the State by said firm; have also had that mtter under consideration and are of opinionthat the joint resolution of the last legislature, authorizing the State Agent to receive State bonds in payment of a debt due the State from said firm, was passed by the last legislatue, with the impression, that the debt due the State from said firm was $50000, when in fact the debt amounted to but $45,000; which will clearly appear to be the case by reference to the report of M. G. Bright Esq., State Agent, made at the last session, where on page 15, of said report it appears that one of the five thousand dollar notes which constituted a part of the alledged debt of fifty thousand dollars, had been assigned by said Agent to the Merchants Bank of New York, in part payment of a debt of $15,000, leaving the debt due from the Messrs. Cohens to the State but $45,000; the language of the Agent is that he endorsed the note to the Merchants Bank towards liquidantig a larger sum. This language is too strong to convey any other meaning than that the bank owned the note. and that the State had parted with all control over it, except so far as might be eventually liable to the bank as indorser. The first clause of the resolution being therefore, based on a wrong state of facts could not be carried into effect by the Agent of State; the latter clause of said joint resolution, authorizes the withdrawal and discontinuance of all suits pending in Maryland against the said Cohen and Brothers, for or on account of this liability to the State, if then there was no suit pending in Maryland against said Cohens, in which the amount recovered would belong to the State, that portion of the joint resolution would also seem to be inapplicable to the case, and of course could not be carried into effect by the State Agent, and consequently left the Agent no course to pursue but settle the debt as near in accordance with the resolution as the facts would warrant. He could not certainly conceive himself authorized to buy up notes and pay cash for them to the amount of thousands of dollars for the purpose of enlarging the debt of the Messrs. Cohens to fifty thousand dollars, so as to act as the resolution required; accordingly we find in his report, laid before this Legislature, that he has received forty-five thousand dollars in the bonds of this State in payment of the said debt, from the Messrs. Cohens, which was all that justice to the Messrs. Cohens, and his imperative duty to the State required. Indeed had he done otherwise he would, in the opinion of the minority of the committee, have been censurable, and acting in accordance with that singular fatuity which has characterized most of the monied operations of this State. Indeed it would seem that the Messrs. Cohens ought to rest satisfied

with the present settlement, for it appears by the report of said Agent, (see page 15, 16, and 17,) of the report of last session; that the State after realizing the utmost farthing from the securities received of the Messrs. Cohens in payment of a debt of three hundred and twelve thousand two hundred and seventy-nine dollars and seventy-three cents, will ultimately lose by them at least one hundred and seventy thousand dollars. The minority are therefore of opinion that no further legislation should be had in the premises, as the whole matter appears to be settled in strict accordance with justice to the Messrs. Cohens, and they recommend that no further action be taken thereon by this legislature, and ask leave to be discharged from the further consideration thereof.

D. C. RICH,
—— McDONALD.

Mr. Simonson moved that the reports of the minority and majority of the committee be laid on the table;

And the ayes and noes having been demanded by Messrs Moore and McDonald;

Those who voted in the affirmative are,

Messrs. Athon, Bowles, Chambers, Clark of Hamilton, Conner, Engle, Gorman, Gregory, Halbert, Hardin, Harris, Jones of Fountain, Kerr, Lee of Posey, Matheney, McAllister, McClure, Miller of Crawford, Miller of Vanderburgh, Roberts of Laporte, Shelby, Simonson, Sutherland, Tevis, Turman, and Verbrike.—26.

Those who voted in the negative are,

Messrs. Allen of Putnam, Barbour, Barrett, Bearss, Blakemore, Boone, Burton, Byers, Chapman, Clark of Tippecanoe, Coffin, Cowen, Cuppy, Dowling, Edger, Edmonston, Elder, Ferry, Foley, Ford, Garrett, Gilbert, Handy, Hannah, Harrison, Helwig, Hiatt, *H*obbs, Hodges, Holloway, Hostetter, Hudleston, Hurlbut, Jones of Franklin, Keimer, Lee of Jefferson, Logan of Pike, Logan of Washington, Macy, McConnell, McDonald, McRea, Mickle, Montague, Montgomery, Mooney, Moore, Morgan, Norvell, Nutter, O'Neal, Parker, Reed, Rich, Robbins, Roberts of Putnam, Saffer, Seller, Simpson, Smith, Spicknall, Williams, *W*illiamson, *W*olfe, *W*oolman, Wright, and Mr. Speaker.—67.

So said motion did not prevail.

The question recurring on concurring in the majority report;

And the ayes and noes were demanded by Messrs. McDonald and More;

Those who voted in the affirmative are,

Messrs. Barbour, Barrett, Bowles, Bearss, Blakemore, Coffin, Conner, Dowling, Foley, Ford, Garrett, Gilbert, Gorman, Gregory,

Hannah, Harrison, Hiatt, Hodges, Holloway, Huddleston, Hurlbut, Jones of Fountain, Kerr, Lee of Jefferson, Lee of Posey, Macy, Matheny, Miller of Vanderburgh, Morgan, Nutter, Parker, Reed, Roberts of Laporte, Seller, Shelby, Simonson, Simpson, Tevis, Williamson, Wolfe, and Woolman.—41.

Those who voted in the negative are,

Messrs. Allen of Putnam, Athon, Boone, Burton, Byers, Chambers, Chapman, Clark of Hamilton, Clark of Tippecanoe, Cowen, Cuppy, Edger, Edmonston, Elder, Engle, Ferry, Halbert, Handy, Hardin, Harris, Helwig, Hobbs, Hostetter, Jones of Franklin, Keimer, Logan of Pike, Logan of Washington, McAlister, McClure, McConnell, McDonald, McRae, Mickle, Miller of Crawford, Montague, Montgomery, Mooney, Moore, Norvell, O'Neall, Palmer, Rich, Robbins, Roberts of Putnam, Saffer, Smith, Spicknall, Sutherland, Turman, Williams, Wright and Mr. Speaker.—53.

So said report was not concurred in.

The joint resolution was then read a first time, to wit:

No. 203. A joint resolution supplemental to a joint resolution authorizing the Agent of State to settle with J. J. Cohen, jr., and Brothers, approved Feb. 3d, 1843; when

Mr. Norvell moved to reject the same, and before any action was had thereon the House,

On motion,

Adjourned till 2 o'clock P. M.

2 o'clock, P. M.

The House met.

On motion of Mr. Moore,

A call of the House was ordered;

When it appeared that the absentees were Messrs. Kelly, Allen of Laporte, Dowling, Forseman, Gorman, Lee of Posey, Nees, and Fuller.

Messrs. Kelly, Allen of L., and Fuller were excused on account of indisposition;

And Mr. Forseman being absent with leave of the House; then

On motion of *Mr.* Rich,

The further call of the House was suspended.

The House then resumed the consideration of the motion of Mr. Norvell to reject the joint resolution No. 203, which was under consideration at the last adjournment;

And the ayes and noes having been demanded by Messrs. McDonald and Mickle;

Those who voted in the affirmative are,

Messrs. Allen of Putnam, Athon, Boone, Burton, Byers, Chambers, Chapman, Clark of Hamilton, Clark of Tippecanoe, Cowen, Cuppy, Edger, Edmonston, Elder, Engle, Ferry, Gregory, Halbert, Handy, Hardin, Harris, Helwig, Hostetter, Jones of Franklin, Keimer, Logan of Pike, Logan of Washington, McAlister, McClure, McConnell, McRae, McDonald, Mickle, Miller of Crawford, Montague, Montgomery, Mooney, Moore, Norvell, O'Neal, Palmer, Rich, Robbins, Roberts of Putnam, Saffer, Smith, Spicknall, Sutherland, Tevis, Turman, Williams, Wright, Woolman and Mr. Speaker.—54.

Those who voted in the negative are,

Messrs. Barbour, Blakemore, Barrett, Bearss, Bowles, Coffin, Conner, Foley, Ford, Garrett, Gilbert, Hannah, Harrison, Hiatt, Hobbs, Hodges, Holloway, Huddleston, Hurlbut, James, Jones of Fountain, Kerr, Lee of Jefferson, Macy, Matheney, Miller of Vanderburgh, Morgan, Nutter, Parker, Reed, Roberts of Laporte, Seller, Shelby, Simonson, Simpson, Williamson, and Wolfe—37.

So said motion was decided in the affirmative;

The question then recurring,

Will the House concur in the minority report from the judiciary committee; when

On motion of Mr. Simonson,

The report was ordered to lay on the table.

Mr. Parker, chairman of the judiciary committee, made the following report:

Mr. Speaker:

The judiciary committee to which was referred bill No. 8 of the House, to organize a new county out of the county of Dearborn and relocate the county seat thereof, with instructions to inquire whether the county contains 400 square miles, have had that matter under consideration, and have directed me to report that the best evidence before the committee, satisfies a majority of the committee that the county contains 419 square miles and a fraction over. This estimate is based upon the supposition that the sections, agreeably to the government survey, are all full. This survey is believed to be the one contemplated by the framers of the constitution of the State, and is, therefore, the one that should govern these questions; and so the committee ask to be discharged.

No. 8. A bill to organize a new county out of the county of Dearborn and relocate the county seat thereof,

In the said report mentioned, being on its third reading,

After discussion was had thereon,

Mr. Rich moved the previous question,
Which was seconded by the House;
The question being,
"Shall the main question be now put?"
It was decided in the affirmative.
The question then being,
"Shall the bill pass?"
And the ayes and noes having been demanded by Messrs. Wright and Elder,

Those who voted in the affirmative are,

Messrs. Allen of Putnam, Barbour, Barrett, Bearss, Blakemore, Boone, Bowles, Burton. Byers, Clark of Hamilton, Coffin, Cowen, Conner, Dowling, Edger, Edmonston, Elder, Ferry, Ford, Garrett, Gorman, Gilbert, Gregory, Halbert, Handy, Harris, Harrison, Helwig, Hiatt, Hobbs, Hodges, Holloway, Hostetter, James, Jones of Fountain, Jones of Franklin, Keimer, Kerr, Lee of Jefferson, Lee of Posey, Logan of Pike, Macy, Matheny, McClure, Mickle, Miller of Vanderburgh, Montague, Montgomery, Mooney, Morgan, Nutter, Palmer, Parker, Reed, Rich, Robbins, Roberts of Laporte, Seller, Simpson, Spicknall, Tevis, Turman, Verbrike, Williams, Williamson, and Wolfe.—66.

Those who voted in the negative are,

Messrs. Athon, Chambers, Chapman, Clark of Tippecanoe, Cuppy, Engle, Foley, Hannah, Hardin, Logan of Washington, McAlister, McConnell, McRae, Miller of Crawford, Norvell, O'Neall, Roberts of Putnam, Saffer, Shelby, Simonson, Smith, Sutherland, Woolman, and Wright.—24.

So the bill passed.

Mr. Wright moved to reconsider the vote taken on the passage of bill No. 203, having obtained leave to change his vote for that purpose;

And the ayes and noes having been demanded by Messrs. Wright and Rich,

Those who voted in the affirmative are,

Messrs. Athon, Chambers, Clark of Tippecanoe, Elder, Engle, Halbert, Hannah, Hardin, Hiatt, McAlister, McConnell, McRae, Mickle, Miller of Crawford, Mooney, O'Neall, Roberts of Putnam, Saffer, Shelby, Simonson, Smith, Sutherland, Wright, and Mr. Speaker.—24.

Those who voted the negative are,

Messrs. Allen of Putnam, Barbour, Barrett, Bearss, Blakemore, Boone, Burton, Byers, Chapman, Clark of H., Coffin, Conner, Cowen, Cuppy, Dowling, Edger, Edmonston, Ferry, Foley, Ford, Garrett, Gilbert, Gorman, Handy, Harris, Harrison, Helwig, Hobbs, Hodges, Holloway, Hostetter, Huddleston, James, Jones of Franklin, Keimer, Kerr, Lee of Jefferson, Lee of Posey, Logan of Pike, Logan of Washington, Macy, Matheny, M'Clure, Miller of Vanderburgh, Montague, Montgomery, Moore, Morgan, Norvell, Nutter, Palmer, Parker, Reed, Rich, Robbins, Roberts of Laporte, Seller, Simpson, Spicknall, Tevis, Turman, Verbrike, Williams, Williamson, Wolfe, and Woolman.—66.

So said vote was not reconsidered.

Ordered, That the clerk report the said bill to the Senate and ask their concurrence therein.

A message from the Senate by Mr. Doran, their Assistant Secretary:

Mr. Speaker:

The Senate has adopted the following resolution:

Resolved, That the Senate will, the House of Representatives concurring therein, proceed, on Friday the 29th inst., at half past ten o'clock, A. M., to the election of State Agent and General Superintendent on the Wabash and Erie canal;

In which the concurrence of the House is respectfully requested.

On motion of Mr. Norvell,

The said resolution in the said message mentioned, was reciprocated by the House.

Ordered, That the clerk acquaint the Senate thereof.

Mr. Bearss moved to suspend the further order of business for the purpose of taking from the files No. 58, in relation to the settlers on canal lands;

Which motion did not prevail.

Mr. Gorman, from the committee on the judiciary, made the following report:

Mr. Speaker:

The judiciary committee to which was referred a bill entitled,

No. 96. A bill to exempt certain lands in the counties of Randolph and Delaware from taxation,

Have had the same under consideration and directed me to report the same back to the House of Representatives, and recommend its passage;

No. 96, in the said report mentioned, was then ordered to be engrossed for a third reading on to-morrow.

Mr. Gorman, from the same committee, made the following report:

Mr. Speaker:

The judiciary committee to whom was referred bill of the House entitled,

No. 97. A bill creating the Bishop of the Roman Catholic Church a corporation sole,

Have had that subject under consideration and a majority have directed me to report the same back to the House, after amending it as instructed, and recommend its passage.

Mr. Parker, chairman of the judiciary committee, made the following counter report from the minority of the committee:

Mr. Speaker:

The undersigned members of the judiciary committee to which was referred the bill of the House providing for the constitution of the Roman Catholic Bishop of Vincennes a corporation sole and vesting in him and his successor in office, all the real and personal estate now belonging to the several Roman Catholic Churches and that may hereafter belong to them for religious, charitable, and educational purposes in this diocess, dissent from the report of the majority of the committee.

The undersigned are not unmindful of the spirit of religious toleration that induced the first settlement of this country and that has since characterized our laws and institutions. They wish to see that spirit enlarged and perpetuated, and they have no other feelings than those of unmitigated contempt for all such as by word or deed indicate an intolerance af those who are not of their sect. They deem that spirit both anti-christian and anti-republican.

The undersigned participate in no prejudices against the Roman Catholic Christians of this country; on the contrary they cannot but admire that self devotion, the unconquered zeal in the cause of the Redeemer of the world, which more than two hundred years ago planted his cross at Vincennes where it has stood alike respected by savage and civilized men in war and in peace; the succession of its priesthood unbroken, down to the present hour. This illustrious fact of itself, it would seem, should entitle them to all the privileges and immunities of the most favored, if there be any such, of the christian denomination in this State. But in this republican government neither that nor any other fact of which we are apprised, should entitle them to any more.

The undersigned are of the opinion that the christian religion needs very little legislation; "its kingdon is not of this world." In this country our legislation for religion must be scrupulously alike for all sects, creeds or denominations. We may safely incorporate an individual church or congregation, college or charitable institution. They

act separately and have their separate interests; and their tendency, even when of the same sect, is not dangerously centripetal. We say *dangerous* because all extensive combinations of men moved by one mind or one hand, are dangerous in a Republic.

This bill proposes to place in the hands and under the absolute control of the Bishop of Vincennes, all the property of the Roman Catholic Church of this State, whether it be for religious, charitable, or educational purposes, in trust for the legitimate purpose. We understand that this Bishop, like all others, is appointed by the Pope of Rome, and owes to him ecclesiastical, if not secular allegiance, and subject to removal or excommunication according to the sovereign will of the Pope. And further, that all the priests of the congregations, in like manner, are subject to the appointment, and removal of the Bishop; the congregation itself having no voice in the matter. It is obvious then that the Pope or Bishop of Rome has the absolute control of the Catholic Priesthood, alike in Rome and at Indianapolis, as also in the most remote and obscure hamlet of the State where an organized church can be found. For should the existing Bishop disobey any of his mandates as to the Priesthood, or congregations, or the members thereof, he has but to disrobe him and invest another with the authority who will obey. This is a part of the usage of the church with which we are not disposed to meddle. But we cancannot clothe this power with the strong arm of the law, and leave it at the same time to accumulate property without limit. We question its constitutionality, we are confident of its anti-republicanism, and we cannot but fear its pernicious if not dangerous tendency.—Like power given to the Methodists would alarm the Presbyterians, given to the Presbyterians it would alarm the Methodists, and so on through all the long catalogue of sects, and creeds and names, and given to all, each might not only well be alarmed at the other, but the whole for the purity of their religion, and they and the entire outdoor world, for the safety of our Republican institutions.

The matter involved in this bill has first and last greatly distracted the world. Long ago in England it engendered the troubles that gave rise to the Statutes of Mortmain, &c. It was connected with the expulsion of the Jesuits from France, and now the church property of that great empire, Catholic as it is, is understood to be holden independent of the Pope. And quite recently this matter has made no little disturbance amongst the Catholics themselves, particularly in New Orleans. The undersigned are therefore of the opinion that the true interests of the country, and as they humbly conceive, of the church itself, require very little, if any, other legislislation than that which is now to be found in the Revision of last session, chapter 25, article 2, providing for the election and incorporation of "trustees to receive conveyances for lands and donations for the use of schools, literary societies, meeting-houses, churches, &c." Almost every conceivable case of the kind contemplated, is provided for in this law. But each society elects its own trustees and officers, and controls its own interests, independent of other or foreign influence. It is a common shelter under which

every name may come for like protection. It keeps the control of the property in the congregation who raised it, and to whom it really belongs. It is essentially democratic. But this bill, could we close our eyes to all its other tendencies, provides for such exclusive privileges, as in this country, are always odious. For the reasons assigned, with others that might be urged, the undersigned dissent from the majority of the committee, and respectfully urge upon the House that it do not make this bill one of its enactments.

L. W. PARKER.
D. C. RICH.
F. A. MATHENY.

The question being,

Will the House concur in the amendments to the said bill in the report of the majority of said committee mentioned?

It was decided in the affirmative.

The question then recurring,

Shall the bill be engrossed for a third reading on to-morrow?

When Mr. Clark of Hamilton made a motion to indefinitely postpone said bill;

And after debate thereon,

The House adjourned till to-morrow morning, 9 o'clock.

FRIDAY MORNING, DECEMBER 29, 1843.

The House met pursuant to adjournment.

Mr. Matheny moved to reconsider the vote taken on yesterday, on reciprocating the resolution of the Senate, providing for going into the election of State Agent and Superintendent of the Wabash and Erie canal;

Which motion passed in the affirmative; then

On motion of Mr. Parker,

The said resolution was laid on the table.

The following message was received from the Senate by Mr. Otto, their Principal Secretary:

MR. SPEAKER:

The Senate, upon receiving the annunciation of the death of the Hon. Stephen S. Collett, adopted the subjoined resolutions, and ordered me to report the same to this House:

Resolved unanimously, That the members and officers of the Senate, have received with deep sensibility, the melancholly intelligence of the death of the Hon. Stephen S. Collett, late a Senator from the county of Vermillion.

Resolved unanimously, That in token of repect for the memory of the Hon. Stephen S. Collett, the members and officers of the Senate will wear the usual badge of mourning, during the remainder of the present session of the General Assembly.

Resolved unanimously, That arrangements be made at the expense of the State, to convey the body of the deceased to his family residence.

Resolved unanimously, That the members and officers of the Senate, will form in procession at the Capitol, on this day, at 10 o'clock, A. M. and move to the lodgings of the deceased in that order, and from thence attend the corpse to the limits of this city.

Resolved unanimously, That His Excellency the Governor, the Judges of the Supreme court, and the other officers of State, now at the seat of Government, be invited to unite in the procession, and that joint participation on the part of the members and officers of the House of Representatives be requested therein.

Resolved unanimously, That the President of the Senate be directed to employ some suitable person to accompany the remains of our departed friend to his late residence, in the county of Vermillion.

Resolved unanimously, That the President of the Senate transmit a copy of these resolutions to the family of the deceased.

Resolved unanimously, That a committee be appointed to make the requisite arrangements upon this mournful occasion.

The House of Representatives unanimously concurred therein.

On motion of Mr. Hostetter,

Resolved unanimously, That the House of Representatives reciprocate the resolution of the Senate, in relation to the loss sustained by that body in the death of the Hon. Stephen S. Collett.

Resolved unanimously, That the House of Representatives entertain the highest respect for the memory of the Hon. Stephen S. Collett, and duly appreciate the loss sustained by his family and numerous friends.

Resolved unanimously, That as a token of respect for the virtues of the deceased, the members and officers of the House of Representatives will wear the usual badge of mourning during the remainder of the session.

Resolved unanimously, That a copy of these resolutions be transmitted to the family of the deceased.

Resolved unanimously, That the principal clerk of the House of Representatives convey a copy of the foregoing resolutions to the Senate, and transmit a copy of the same to the family of the deceased.

A message from the Senate by Mr. Otto, their Principal Secretary:

Mr. Speaker:

I am directed to inform this House that the Senate has adopted the following arrangements for the funeral of the Hon. Stephen S. Collet deceased:

ORDER OF ARRANGEMENTS

For the funeral of the Hon. S. S. Collett, late member of the Senate.

The members and officers of the Senate will meet in the Senate Chamber at 10 o'clock.

The members and officers of the House will meet in the Hall of the House at 10 o'clock.

ORDER OF PROCESSION.

1st. Rev. Clergy.
2d. Pall bearers, [CORPSE,] Pall bearers.
3d. Mourners.
4th. Governor.
5th. Committee of arrangements.
6th. Senate, preceded by its President and Secretary.
7th. House of Representatives, preceded by its Speaker and Clerk.
8th. Judges of Supreme court.
9th. Officers of State.
10th. Citizens generally.

The procession will form at the Capitol at half-past 10 o'clock today, and proceed to the Washington Hall, and return from thence in company with the Corpse to the Capitol, where divine service will be performed by the Rev. Mr. Simpson, President of the Indiana Asbury University.

The procession will then move in like order to the limits of this city, where a conveyance will be in attendance to remove the corpse to the late residence of the deceased in Vermillion county.

The poll bearers will consist of

Messrs. Akin, Ritchey, Davis of F., Defrees, Miller, Cotton, Reeve, and Carr of L.

The procession will be supervised by Mr. Read as marshall.

Then on motion,

The House adjourned till to-morrow 9 o'clock.

SATURDAY MORNING, DEC. 30, 1843.

The House met pursuant to adjournment.

The Speaker laid before the House a communication from Morris Morris, Esq., Auditor of State, in obedience to a resolution of the House, in relation to the rents received, and from whom, and the expenses incurred on the northern division of the Central canal between the feeder dam and Indianapolis, during the three last years;

Which was read and referred to the committee on the judiciary.

The Speaker also laid before the House a communication from the Auditor of State, containing the returns from the county treasurers, of the following counties, to-wit: Huntington, Vanderburgh, Floyd, Kosciusko, Allen, Switzerland, Ripley, Marion, Jackson, Perry, Posey, Pulaski, White, Fayette, Lake and Jasper, relative to the annual salaries of their respective county auditors;

Which were referred to the committee on ways and means.

The Speaker also laid before the House a communication from D. Agnew, Post Master at Wheeling, Va., containing a resolution of the Ohio legislature, relative to building a bridge across the Ohio river, at Wheeling, in Virginia;

Referred to the committee on federal relations.

The Speaker also laid before the House the remonstrance of certain citizens in Martin county, against having commissioners who are not disinterested, to re-locate the county seat of said county;

Which was laid on the table.

Also, the petition of John Smith, praying to have certain charges for water rent remitted on account of the failure of the State to supply water to his machinery at Pittsburgh;

Also, the petition of James Coleman and others, citizens of Carroll county, relative to canal land certificates, which have been sold and assigned and not acknowledged according to law;

Which were read and referred to the committee on canals and internal improvements.

On motion of Mr. Bowles,

The previous order of business was suspended for the purpose of introducing

No. 204. A bill to amend an act entitled "An act authorizing the issue of $5 Treasury Notes, for the redemption of the $50 Treasury Notes now in circulation," approved Jan. 31, 1842;

Which was read the first and second times,

The rule being suspended therefor,

When Mr. James moved to amend by striking out from its title, and insert the following:

"SEC. 1. *Be it enacted by the General Assembly of the State of Indiana,* That the Treasurer of State is hereby authorized and required as soon as may be, to negotiate as may be wanted, a loan not exceed

ing seventy-five thousand dollars for the current expenses of the year, on which loan interest not exceeding six per cent. per annum shall be paid every six months, and on the receipt of any part of said loan, such evidences therefor as may be agreed on between the parties, shall be given by the Auditor of Public Accounts, and the Treasurer of State, and said loan shall be made payable in not less than six months nor more than three years from the time of making the same.

Sec. 2. Whenever any creditor, either by judgment, bond, note, or otherwise, shall give notice in writing to the person or persons indebted, that he, she, or they, will require only the following payments on the judgment had or to be had, viz: five per cent. on the principal and interest on the whole sum due, together with the interest that may accrue at the end of each six months from the time of such notice, for the first two years, and ten per cent of the principal and interest as aforesaid, at the end of every six months after the expiration of two years, until the whole shall be paid; then if any such debtor or debtors shall neglect or refuse to pay such instalments or any of them, with the interest as aforesaid, it shall be lawful for such creditor or creditors, when judgment has been or shall be obtained as soon as the stay of execution thereon expires, to procure an execution to be issued on which the property levied may be sold for one half its appraised value.

Sec. 3. If any of the Branches of the State Bank of Indiana shall refuse to loan to the State its proportion of the said seventy-five thousand dollars, according to its capitol, such Branch or Branches, as the case may be, shall not be entitled to the privileges specified in the second section of this act."

Mr. Norvell moved to lay the bill and proposed amendment on the table;

Which motion did not prevail.

Then, on motion of Mr. Simonson,

The said bill and proposed amendment, were referred to a committee of the whole House, and made the special order for 2 o'clock this day.

On motion of Mr. Gorman,

The resolution of the Senate proposing to go into the election on Friday the 29th instant, at half past 10 o'clock, of State Agent and General Superintendent of the Wabash and Erie canal, was taken from the table.

Mr. Gorman then moved that the House concur in said resolution with the following amendment:

Strike out "half past 10 o'clock on Friday the 29th instant" and insert "10 o'clock this day;"

Which motion passed in the affirmative.

Ordered, That the Senate be informed thereof.

By Mr. Hurlbut,

Of certain citizens of the town of Mishawaka, in St. Joseph county, on the subject of a town lot;

Which was read and referred to the committee on the judiciary.

By Mr. Boone,

Of Russel Cox and others, citizens of Boone county, for the legalization of the election and proceedings of the trustees of a certain Baptist church therein named;

Which was referred to a select committee of Messrs. Boone, Hobbs and Byers.

By Mr. McDonald,

Of citizens of Lake county, for a state road therein named;

Which was referred to the committee on roads.

By Mr. Nees,

Of Jacob Boman and others, praying a change of a certain state road in the county of Clay;

Which was referred to a select committee of Messrs. Nees, Clark of T., and Keimer.

By Mr. Forseman,

Of citizens of Tippecanoe county, praying the erection of a bridge across the Wabash and Erie canal, west of Lafayette;

Which was referred to the committee on canals and internal improvements.

By Mr. Sutherland,

Of citizens of Marion county, on the subject of changing the late revision on the school law;

Which was read and referred to the committee on education.

On motion of Mr. Moore,

The petition on the subject of a state road in Owen county, was taken from the table, and referred to a select committee of Messrs. Moore, Nees, Keimer, and Clark of T.

By Mr. Wright,

Of citizens of Switzerland county, relative to ferry laws;

Also, the remonstrance of John F. Dufour, on the same subject;

Which were referred to the committee on military affairs.

By Mr. Nees,

Of Abner H. Crist, of Clay county, praying to be divorced from his wife, Elizabeth Crist;

Which was referred to the judiciary committee.

By Mr. Allen of L.,

Of Patten Doolittle, et. al. in regard to improving a state road in Laporte county;

Which was referred to the committee on roads.

Also, of sundry citizens of school district No. 5, town 37, north, of

range 3, west, in relation to a school house in said district, in the county of Laporte;

Which was referred to a select committee of Messrs. Allen of L., Tevis and Turman.

By Mr. Montgomery,

The remonstrance of citizens of Gibson county, against the relinquishment of school lands;

Which was read and referred to the committee on education.

On motion,

The further consideration of bill No. 97, a bill creating the Bishop of the Roman Catholic church a corporation sole, and the motion of Mr. Clark of H., to indefinitely postpone the same, made on Friday, were postponed until Tuesday next.

REPORTS FROM STANDING COMMITTEES.

Mr. Matheny, from the judiciary committee, made the following report:

MR. SPEAKER:

The judiciary committee, to which was referred a resolution making it the duty of justices of the peace to make out a bill of costs and deliver the same with each and every execution to the constable to whom such execution is directed, have had that subject under consideration, and have directed me to report it inexpedient to legislate on that subject, and ask to be discharged from the further consideration of that subject;

Which report was concurred in by the House.

Mr. Parker, chairman of the judiciary committee, made the following report:

MR. SPEAKER:

The judiciary committee to whom was referred bill No. 190, to equalize the 1st and 7th judicial circuits, have had that matter under consideration, and now report that they have added an additional section to the bill, and have filled a blank by attaching Clinton county to the 8th circuit, and thus amended, they recommend the passage of the bill;

The amendment of the committee to the said bill in the report mentioned, was concurred in by the House, and the bill ordered to be engrossed for a third reading on to-morrow.

Mr. Parker, chairman of the same committee, made the following report:

Mr. Speaker:

The judiciary committee to whom was referred the petition of John Law, Lucius H. Scott, and others, in reference to the cancelling of a mortgage given by them to the State, have had that matter under consideration, and now report:—

The petition and accompanying documents show the following state of facts:—said Law, Scott, and one James B. McCall, now deceased, were, in 1837, the owners of a large tract of land adjoining the town of Evansville on the Ohio river, which they laid out into a town and called the same "Lamasco;" that on the 12th day of August, 1837, they entered into an article of agreement with the State of Indiana, through John A. Graham, the agent for the State and acting commissioner for the southern division of the Central canal terminating at Evansville; that if said State would extend the canal from the basin in Evansville to the banks of Pigeon near the Ohio, and on the land of the petitioners, they would donate to the State the right of way—would convey to the State six and one half arces of the most valuable of their property in said Lamasco for a basin and all the water power appurtenant to said canal, that they would further reimburse the State the amount expended in digging said canal through their property to said basin, and give good security, to be approved of by the commissioner, therefor; that said petitioners, by a warranty deed in fee simple, did convey said six and one half acres of land, valued at 5,000 dollars, to the State, which deed is executed and recorded, and the State has now the fee simple in the same as her property; that the said commissioner, Graham, after receiving said deed and a quit claim of the right of way, made said canal from the basin in Evansville to the banks of Pigeon, at a cost of 8,000 dollars; and that the said Law, Scott, and McCall, after the same was made, in pursuance of their agreement, executed to the State of Indiana, a mortgage deed on several blocks and lots of land, accepted by the commissioner as full security for the reimbursement of said sum of money to the State; that a bill to foreclose said mortgage is now pending in the Knox circuit court; and the petitioners pray that said mortgage may be cancelled and given up to them and the suit dismissed—alleging an entire failure of consideration in the same.

The committee, on an examination of the bill, answer, and depositions filed in this matter, believe the consideration for which said mortgage was given, has failed and that whatever doubts might exist at law, in justice and equity, the petitioners should be relieved from the same, and that they should not be put to the further trouble and expense of defending said suit.

The mortgage itself, the deposition of Mr. Graham, the answer, under oath, of the defendants, show that the sole consideration of the petitioners in giving said mortgage, was the faith of the State then pledged and the order of the board of canal commissioners

then made, that the Central canal could be finished to the feeder dam on White river, the canal made "navigable and proper to be used and navigated by ordinary canal boats," and " the increased value of the real estate of said petitioners adjoining said canal, from having the same made navigable and the use of the water power on their land." So far from the canal being made navigable—so far from its being of any benefit to the petitioners, the depositions show that the loss to them is very great; as high as twenty per cent. on their property adjoining. And the State having abandoned the work—having dug a ditch through the land of the petitioners, without completing the work according to their stipulations and plighted faith, the committee think that the petitioners should be released from their contract and upon payment of the court costs that have accrued, the mortgage should be cancelled and the suit dismissed: they, therefore, herewith report a bill to that effect, and recommend its passage;

No. 205. A bill for the relief of John Law, Lucius H. Scott, and the heirs of James B. McCall;

Which was read the first time and passed to the second reading on to-morrow.

Mr. McDonald, from the same committee, made the following report:

Mr. Speaker:

The judiciary committee to whom was referred bill of the Senate entitled,

No. 26. A bill relating to the election of seminary trustees in Daviess county,

Have had the same under consideration and have directed me to report that, though the title of the bill would seem to be local, yet the bill itself is general, and would revive and bring in force the said section in all the counties of the State; they therefore recommend that it be indefinitely postponed; and ask to be discharged from the further consideration of said bill;

Which report was concurred in by the House, and No. 26 of the Senate therein named, indefinitely postponed.

Mr. McDonald also made the following report:

Mr. Speaker:

The judiciary committee to whom was referred bill of the House entitled,

No. 196. An act to amend an act applying certain funds to purposes of education, etc., so far as Rush county is concerned,

Have had the same under consideration and have directed me to report the bill back to the House and recommend its indefinite postponement, and ask to be discharged from the further consideration of said bill;

Which was, on motion, laid on the table.

Mr. McDonald also made the following report:

Mr. Speaker:

The judiciary committee te whom was referred a resolution of the House instructing said committee to inquire into the expediency of repealing the fifth section of article 1st, of chapter 35, of the Revised Statutes, have had that matter under consideration, and have directed me to report that they deem the said fifth section necessary to guard against the intermarriage of blacks and whites, and also the taking advantage of insane persons and idiots by contracting marriage with them, and therefore inexpedient to repeal the same; and ask to be discharged from the further consideration of the subject;

Which was, on motion, also laid on the table.

The following message was received from the Senate by Mr. Otto their Principal Secretary:

Mr. Speaker:

The Senate have concurred in the amendment of the House of Representatives to the resolution of the Senate, proposing to proceed upon this day, (Saturday, December 30th,) at 10 o'clock, A. M., to the election of State Agent, and General Superintendent on the Wabash and Erie canal.

Mr. Elder asked and obtained leave to introduce the following resolution:

Resolved, That the Senate be invited to attend instanter in the Hall of the House of Representatives for the purpose of going into the election of a State Agent and a Commissioner on the Wabash and Erie canal west of Tippecanoe river; and that seats be provided for them on the right of the Speaker's chair;

Which was adopted.

Whereupon the Senate came into the Hall of the House of Representatives, and took their seats at the right of the Speake'r chair, the President of the Senate on the right of the Speaker, and both Houses jointly procceed by vote, *viva voce*, to the election of State Agent;

The following members voted for Michael G Bright,

Messrs. Akin, Berry, Carr of J., Carr of L., Chapman, Cornett, Davis of Daviess, Dobson, Duzan, Ewing, Henry, Herriman, Hoover, Hutton, Jones, Kennedy, Leviston, Major, Miller, Mitchell, Parks, Read, Richey, Shanks, Sinclear, Tannehill, Wilber, Wood, Allen of P. Athon, Barbour, Bearss, Boone, Bowles, Burton, Byers, Chambers, Chapman, Clark of T., Cowen, Cuppy, Edger, Edmonston, Elder, Engle, Ferry, Fuller, Gorman, Halbert, Handy, Hardin, Helwig, Hiatt, Hostetter, Jones of Fountain, Jones of Franklin, Keimer,

Lee of Jefferson, Logan of Pike, Logan of Washington, Matheny, McAllister, McClure, McConnell, McDonald, McRae, Mickle, Miller of Crawford, Montgomery, Mooney, Moore, Nees, Norvell, O'Neal, Palmer, Robbins, Roberts of Putnam, Saffer, Simonson, Smith, Spicknall, Tevis, Turman, Williams, Wright, and Mr. Speaker.—86.

Those who voted for George H. Dunn are,

Messrs. Alexander, Bradley, Buell of Warren, Burke, Cotton, Davis of Floyd, Defrees, Hodge, Moore, Orth, Morgan, Pitcher, Reeve, Sands, Walpole, Allen of Laporte, Barrett, Blakemore, Clark of Hamilton, Coffin, Conner, Dowling, Ford, Foley, Forseman, Garrett, Gilbert, Hannah, Harris, Harrison, Hobbs, Hodges, Holloway, Huddleston, Hurlbut, James, Kerr, Lee of Posey, Macy, Miller of Vanderburgh, Montague, Morgan, Nutter, Parker, Reed, Rich, Roberts of Laporte, Seller, Shelby, Simpson, Sutherland, Williamson, Wolfe, and Woolman.—54.

Michael G. Bright having received a majority of all the votes given was, by the President of the Senate, in presence of both Houses, declared duly elected State Agent, for the State of Indiana, to serve as such for the term of two years, from and after the expiration of the term of service of the present incumbent.

The convention then, in like manner, proceeded to the election of General Superintendent on the Wabash and Erie canal, and on the first vote,

The following members voted for Ebenezer F. Lucas,

Messrs. Alexander, Berry, Buell of W., Chapman, Defrees, Duzan, Ewing, Henry, Hodge, Jones, Moore, Orth, Read, Rayborn, Ritchey, Shanks, Stanford, Walpole, Wood, Wilber, Allen of Laporte, Athon, Barrett, Bearss, Boone, Clark of Hamilton, Clark of Tippecanoe, Conner, Foley, Forseman, Gilbert, Gorman, Gregory, Halbert, Hannah, Hardin, Harris, Harrison, Hiatt, Hobbs, Hostetter, Hudleston, Jones of Fountain, Jones of Franklin, Lee of Jefferson, McAllister, McClure, McConnell, McDonald, Miller of Crawford, Moore, Nutter, Palmer, Parker, Reed, Roberts of Laporte, Seller, Shelby, Simonson, Tevis, Williamson, and Woolman.—62.

Those who voted for Frederick E. Goodsell are,

Messrs. Akin, Bradley, Carr of L., Davis of Daviess, Dobson, Hutton, Miller, Parks, Allen of P., Bowles, Burton, Chambers, Coffin, Dowling, Edger, Edmonston, Elder, Engle, Fuller, Garrett, Handy, Hodgse, Kerr, Logan of Pike, Macy, Matheney, McRea, Miller of Vanderburgh, Montague, Montgomery, Nees, Norvell, O'Neal, Roberts of Putnam, Saffer, Simpson, Smith, Turman, Williams, Wolfe, and Wright.—41.

Those who voted for M. Fauntleroy are,

Messrs. Cotton, Lee of Posey, Morgan of Rush, Pitcher, and Rich.—5.

Those who voted for Samuel Milroy are,

Messrs. Leviston, Major, Mitchel, Tannehill, Blakemore, Byers, and Mr. Speaker.—7.

Those who voted for William D. Wood are,

Messrs. Burke, Hoover, Ford, Holloway, Hurlbut, and Sutherland.—6.

Mr. J. Brown Ray received the vote of Mr. Reeve.

Those who voted for Mr. Martineau are,

Messrs. Cornett, Davis of F., Morgan of the Senate, and Sands. —4.

Those who voted for Chauncy Carter are,

Messrs. Carr of J., Herriman, Kennedy, Sinclear, Barbour, Chapman of the House, Cowen, Cuppy, Ferry, Helwig, Keimer, Logan of Washington, Mickle, Mooney, Robbins, and Spicknall.—16.

No person having received a majority of all the votes given, the convention proceded in like manner to a second vote; which resulted as follows:

Those who voted for Ebenezer F. Lucas are,

Messrs. Alexander, Berry, Buell of W., Burke, Carr of J., Chapman of the Senate, Cornett, Defrees, Duzan, Ewing, Henry, Hodge, Jones, Kennedy, Major, Moore, Orth, Reed, Reeve, Rayburn, Richey, Sands, Shanks, Stanford, Tannehill, Walpole, Wilber, Wood, Allen of Laporte, Athon, Barrett, Bearss, Blakemore, Boone, Byers, Clark of Hamilton, Clark of Tippecanoe, Conner, Engle, Foley, Forseman, Gilbert, Gorman, Gregory, Hannah, Hardin, Harris, Harrison, Hiatt, Hobbs, Hostetter, Huddleston, Jones of Fountain, Jones of Franklin, Lee of Jefferson, Macy, McAlister, McClure, McConnell, McDonald, Palmer, Parker, Reed, Roberts of Laporte, Seller, Shelby, Simonson, Sutherland, Tevis, Turman, Williamson, Wolfe, Woolman and Wright.—74.

Those who voted for Frederick E. Goodsell are,

Messrs Akin, Bradley, Carr of L, Cotton, Davis of D, Davis of F, Dobson, Hutton, Leviston, Miller, Parks, Allen of Putnam, Bowles, Burton, Chambers, Coffin, Dowling, Edger, Edmonston, Elder, Fuller, Garrett, Halbert, Handy, Hodges, Holloway, Hurlbut, James, Kerr, Lee of Posey, Logan of Pike, Logan of Washington, Matheny, McRae, Mickle, Miller of Crawford, Miller of Vanderburgh, Montague, Montgomery, Moore, of the House, Morgan, of the House, Nees, Norvell, Nutter, O'Neall, Roberts of Putnam, Saffer, Simpson, Smith, and Williams.—50.

Those who voted for Chauncy Carter are,

Messrs. Mitchell, Pitcher, Herriman, Hoover, Sinclear, Barbour, Chapman of the House, Cowen, Cuppy, Ferry, Helwig, Keimer, Mooney, Robbins, Spicknall, and Mr. Speaker.—16

Mr. Blair, received the vote of Mr. Morgan of the Senate.

Mr. Wood received the vote of *Mr.* Ford.

Mr. Martaineau received the vote of Mr. Rich.

Ebenezer F. Lucas having received a majority of all the votes given was, by the President of the Senate, in presence of both Houses, declared duly elected General Superintendent on the Wabash and Erie canal, to serve as such for the term of two years, from and after this day.

The President of the Senate adjourned the convention *sine die.*

The Senate then returned to their Chamber.

On motion,

The report of Mr. McDonald from the judiciary committee in relation to the repeal of 5th section of article 1st of chapter 35th, of the Revised Statutes, was taken from the table.

The question then recurred,

Will the House concur in said report?

And the ayes and noes having been demanded by Messrs O'Neal and Gregory;

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Allen of Putnam, Athon, Barbour, Barrett, Blakemore, Boone, Bowles, Byers, Burton. Chambers, Chapman, Clark of Hamilton, Clark of Tippecanoe, Cowen, Conner, Cuppy, Dowling, Edger, Edmonston, Elder, Engle, Ferry, Foley, Forseman, Fuller, Garrett, Gilbert, Handy, Hannah, Harris, Harrison,

Helwig, Hiatt, Hobbs, Hodges, Holloway, Huddleston, Hurlbut, James, Jones of Fountain, Jones of Franklin, Keimer, Kerr, Lee of Jefferson, Logan of Washington, Matheny, McAlister, McClure, McConnell, McDonald, McRae, Mickle, Miller of Crawford, Miller of Vanderburgh, Montague, Montgomery, Mooney, Morgan, Nees, Nutter, Palmer, Parker, Rich, Robbins, Roberts of Laporte, Roberts of Putnam, Saffer, Seller, Shelby, Simonson, Simpson, Smith, Spicknall, Sutherland, Tevis, Turman, Williamson, Wolfe, Wright, and Mr. Speaker.—81.

Those who voted in the negative are,

Messrs. Bearss, Coffin, Gregory, Hardin, Hostetter, Lee of Posey, Logan of Pike, Moore, Norvell, O'Neall, Reed, Williams, and Woolman..—13.

So said report was concurred in by the House;

And the committee discharged from the further consideration of that subject.

On motion,

The report of Mr. McDonald from the judiciary committee, on bill No. 196 of the House, entitled "A bill to amend an act applying certain funds to purposes of education, &c., so far as Rush county is concerned," was taken from the table;

And after debate was had thereon,

Mr. Simonson moved to lay the said report and bill on the table;

And the ayes and noes having been demanded by Messrs. Morgan and McDonald;

Those who voted in the affirmative are,

Messrs. Athon, Barbour, Bearss, Boone, Chambers, Chapman, Conner, Gorman, Jones of Franklin, Matheny, Montgomery, O'Neal, Parker, Simonson, Simpson, Sutherland, and Wright—17.

Those who voted in the negatine are,

Messrs, Allen of Laporte, Allen of Putnam, Barrett, Blakemore, Bowles, Burton, Byers, Clark of Hamilton, Clark of Tippecanoe, Cuppy, Edger, Edmonston, Elder, Ferry, Foley, Ford, Forseman, Fuller, Garrett, Gilbert, Gregory, Handy, Hannah, Harris, Harrison, Helwig, Hiatt, Hobbs, Hodges, Holloway, Hostetter, Huddleston, Hurlbut, James, Keimer, Kerr, Lee of Jefferson, Lee of Posey, Logan of Pike, Logan of Washington, Macy, McAllister, McClure, McConnell, McDonald, McRae, Mickle, Miller of Crawford, Miller of Vanderburgh, Montague, Mooney, Moore, Morgan, Nees, Norvell, Nutter, Palmer, Reed, Rich, Robbins, Roberts of Putnam, Saffer, Sel-

ler, Shelby, Smith, Spicknall, Tevis, Turman, Williams, Williamson: Wolfe, Woolman and Mr. Speaker.—73.

So said motion to lay on the table did not prevail.

The question then being,

Will the House concur in the report of the committee, or in other words,

Shall said bill be indefinitely postponed?

And the ayes and noes were demanded by Messrs. Edmonston and McDonald:

Those who voted in the affirmative are,

Messrs. Athon, Boone, Bowles, Byers, Chambers, Chapman, Clark of Tippecanoe, Gorman, James, Jones of Franklin, Macy, Matheny, McDonald, Mooney, O'Neal, Palmer, Parker, Simpson, Spicknall, and Wolfe.—21.

Those who voted in the negative are,

Messrs. Allen of Laporte, Allen of Putnam, Barrett, Bearss, Blakemore, Burton, Clark of Hamilton, Coffin, Conner, Cuppy, Dowling, Edger, Edmonston, Elder, Ferry, Foley, Ford, Forseman, Fuller, Garrett, Gilbert, Gregory, Halbert, Handy, Harris, Hardin, Harrison, Helwig, Hiatt, Hobbs, Hodges, Holloway, Hostetter, Hudleston, Hurlbut, Keimer, Kerr, Lee of Jefferson, Lee of Posey, Logan of Pike, Logan of Washington, McAlister, McClure, McConnell, Mickle, McRae, Miller of Crawford, Miller of Vanderburgh, Montague, Montgomery, Moore, Morgan, Nees, Norvell, Nutter, Reed, Rich, Robbins, Roberts of Putnam, Saffer, Seller, Simonson, Smith, Tevis, Turman, Williams, Williamson, Woolman, and Mr. Speaker—70.

So said report was not concurred in.

Mr. Edmonston moved to re-commit the bill to a select committee;

And before any action was had thereon,

The House adjourned till 2 o'clock, P. M.

2 o'clock P. M.

The House met.

The Speaker laid before the House a petition of W. J. Holman and others, of Miami county on the subject of the burning of the records of said county.

Mr. Bearss moved to lay the same on the table;

Which motion did not prevail; then

On motion of Mr. Cuppy,

The said petition was referred to a select committee of Messrs. Saffer, Cuppy, Rich, Bearss, and Barbour.

The Speaker laid before the House a communication from Auditor of State, in relation to the report of the New Albany and Vincennes road, in obedience to a resolution of this House, containing an account currenct of each, of the Agent and commissioner; which was

On motion of Mr. Bowles,

Laid on the table.

The House then resumed the consideration of the motion made by Mr. Edmonston to re-commit bill No. 196, to a select committee;

Which motion was pending at the last adjournment.

Which motion prevailed;

And the Speaker announced the following committee, viz: Messrs. Edmonston, Morgan, Lee of Posey, McDonald, and Clark of Tippecanoe.

Mr. Moore moved to postpone the order made in relation to bill No. 204, which was referred to a committee of the whole House and made the special order of the day for 2 o'clock this day;

Which motion did not prevail.

The House then went into a committee of the whole on said bill, and the pending amendment as proposed by Mr. James;

Mr. Gorman in the Chair;

And after having spent some time therein, the committee rose, and through its chairman reported that the committee of the whole House to which was referred Bill No. 204, A bill to amend an act entitled "An act authorizing the issue of $5,00 Treasury Notes, for the redemption of the $50 Treasury Notes now in circulation," approved Jan. 31st, 1842.

And also, the proposed amendment of Mr. James, have had the same under consideration, and refuse to adopt the amendment proposed, and have made no amendments to the bill, and they ask to be discharged from the further consideration of the same.

The question then being,

Will the House concur in the report of the committee?

When Mr. Gorman rose to a point of order, which is, "that this is a proposition to charge the people with a debt, and out of order, because the same having been introduced this day, and by the rule, would have to lay over one day."

The Speaker stated it was not a constitutional objection, and that, as the House had suspended the rule for the purpose of discussing the bill, he considered it in order;

And so decided.

The report of the committee was then concurred in by the House.

The question then recurring,

Shall the bill be engrossed for a third reading? when

Mr. Edmonston moved to amend as follows: strike out Treasury Notes wherever it occurs, and insert Treasury Warrants.

Mr Gorman moved that said bill do lie on the table.

But before the question was taken.

The House,

On motion,

Adjourned till Tuesday morning 9 o'clock.

TUESDAY MORNING, JAN. 2d, 1844.

The House met pursuant to adjournment.

Mr. Gorman asked and obtained leave to introduce the following resolution:

Resolved, That this House will hereafter until the close of the present session meet at 8 o'clock, A. M. and at half dast one, P. M. each day.

On motion of Mr. Edmonston,

The said resolution was so amended as to meet at half past eight on each morning;

Then, as amended, the resolution was adopted.

PETITIONS WERE PRESENTED.

On motion of Mr. Hannah,

The petition in relation to the Noland's fork company, was taken from the table and referred to a select committee of Messrs. Hannah, Parker and Hyatt.

By Mr. Hannah,

Two petitions of citizens of Wayne county, on the subject of an ad valorem tax in the congressional townships in this State;

Which were referred to the same select committee to which that subject had been heretofore referred.

Also, the petition of W. P. Wilson and others, praying the repeal of the present law requiring jutices of the peace to report annually to the county auditor, in cases where there are no fees in their hands;

Which was referred to the committee on education.

By Mr. Mickle,

Of citizens of Jay and Blackford counties, for a state road;

Which was referred to a select committee of Messrs. Mickle, Keimer and Cuppy.

By Mr. Keimer,

Of citizens of Blackford and Grant counties, praying that certain sections of land be struck off from Grant county and attached to the county of Blackford;

Which was referred to a select committee of Messrs. Keimer, Parker, Chapman, Cowen, Robbins, McConnell and Morgan.

By Mr. Woolman,

The remonstrance of citizens of Grant county, against striking off certain lands from Grant county and attaching the same to the county of Blackford;

Which was referred to the same select committee.

By Mr. Forseman,

Of John Carlisle, on the subject of water rents on the Central canal;

Which was referred to a select committee of Messrs. Forseman, McRae, Turman, Williams and Huddleston.

By Mr. Blakemore,

Of citizens of the counties of Cass, Carroll, Clinton, and Boone, praying the incorporation of the Michigan road company;

Which was read and referred to a select committee of Messrs. Blakemore, Byers, Clark of H., Boone and Sutherland.

By Mr. Williams,

Of citizens of Knox county, for the improvement of the Wabash river;

Which was read and referred to the committee on federal relations.

By Mr. Clark of H.,

Of John Stinson and others, praying the passage of a law organizing a new county of the Miami Reserve;

Which was referred to the same select committee to which that subject had been heretofore referred.

By Mr. McConnell,

Of citizens of Jasper county, praying that the board of county commissioners of said county be restricted to assess not to exceed 40 cents on the $100 worth of property;

Which was,

On motion,

Laid on the table.

By Mr. Chapman,

Of citizens of Hancock county, praying that the fees of the county auditor of said county might be raised;

Which was read and referred to the same select committee to which that subject had been heretofore referred.

By Mr. Boone,

Of cititizens of Boone county, on the subject of a road therein named;

Which was,

On motion,

Laid on the table.

By Mr. Holloway,

Of citizens of the city of Richmond, asking the repeal of a portion of the charter of that city;

Which was read and referred to a select committee of Messrs. Holloway, Parker and Williamson.

By Mr. Allen of Laporte,

Of citizens of the county of Laporte, asking the repeal of the act incorporating the town of Laporte;

Which was referred to the committee on corporations.

By Mr. Handy,

Of R. Robbins of Shelby county, in relation to the 7th section of the execution law;

Which was referred to the committee on the judiciary.

By Mr. Conner,

Of Jordon Payton, praying a divorce;

Which was referred to the committee on the judiciary.

By Mr. Lee of J.,

Of citizens of Jefferson county, on the subject of retailing spirituous liquors on election days;

Which was referred to the committee on elections.

By Mr. Sutherland,

Of Henry Rushaupt and others, on the subject of incorporating a German Lutheran church in the town of Indianapolis;

Which was referred to the committee on corporations.

REPORTS FROM STANDING COMMITTEES.

The question recurring on the motion of Mr. Clark of Hamilton, made on the 28th of December, to indefinitely postpone bill No. 97, a bill to incorporate the Bishop of Vincennes a corporation sole, &c.

And the ayes and noes having been demanded by Messrs. Clark of H. and Logan of W.:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Allen of Putnam, Athon, Barbour, Barrett, Bearss, Boone, Burton, Byers, Chambers, Chapman, Clark of Hamilton, Clark of Tippecanoe, Conner, Cowen, Cuppy, Edger, Engle, Foley, Ford, Forseman, Fuller, Gregory, Hannah, Hardin, Harrison, Hiatt, Holloway, Huddleston, Hurlbut, Keimer, Kelly, Lee of Jefferson, Logan of Washington, Matheny, McAlister, McClure, McConnell, Miller of C., Montague, Montgomery, Moore, Morgan, Nees, Nutter, O'Neal, Parker, Read, Rich, Robbins, Roberts of Putnam, Shelby, Simonson, Simpson, Smith, Sutherland, Tevis, Verbrike, Williamson, Wolfe, Woolman and Wright—62.

Those who voted in the negative are,

Messrs. Blakemore, Bowles, Coffin, Dowling, Edmonston, Ferry, Garrett, Gilbert, Gorman, Handy, Harris, Helwig, Hodges, Hostetter, James, Jones of Fountain, Jones of Franklin, Kerr, Lee of Posey, Logan of Pike, Macy, McDonald, McRae, Mickle, Miller of Vanderburgh, Mooney, Norvell, Palmer, Saffer, Seller, Spicknall, Turman, Wlliams, and Mr. Speaker—34.

So said bill was indefinitely postponed.

Mr. McDonald, from the committee on the judiciary, made the following report:

Mr. Speaker :

The judiciary committee, to whom was referred bill of the Senate No. 29, entitled "An act to amend an act allowing and regulating the writ of ad quod damnum, &c.," have had the same under consideration, and have directed me to report it back to the House and recommend its passage;

Bill No. 29. In said report mentioned was then ordered to a third reading on to-morrow.

Mr. Barbour, from the committee on the judiciary, made the following report:

Mr. Speaker:

The committee on the judiciary to which was referred a resolution instructing them to enquire in the expediency of amending the 15th section of the practice act relative to docketing cases, have had the matter under consideration, and have instructed me to report, that in their view it is inexpedient to legislate thereon, as any difficulty that may arise under the act may be obviated by an order of any circuit court, directing that causes docketed for issues according to the Statute, be docketed for trial in any manner that the convenience of the court and suitors may seem to require;

Which report was concurred in by the House.

Mr. Matheny, from the committee on the judiciary, made the following report:

Mr. Speaker:

The committee on the judiciary, to which was referred an act to provide for a more uniform mode of doing township business in the county of Hamilton, have had that subject under consideration, and have directed me to report it back and recommend its passage;

No. 112. In the said report mentioned, was ordered to be engrossed for a third reading on to-morrow.

Mr. Matheny, from the same committee, made the following report:

Mr. Speaker:

The committee on the judiciary, to which was referred a bill, No. 162, to authorize the clerks of circuit and probate courts to appoint guardians, have had that subject under consideration, and have directed me to report it back as inexpedient to legislate on that subject, and ask to be discharged from the further consideration of that subject;

Which report was concurred in.

Mr. Parker, chairman of the committee on the judiciary, made the following report:

Mr. Speaker:

The judiciary commitee, to whom was referred a resolution of the House directing them to inquire into the expediency of so amending the criminal law as to provide for the imprisonment as well as fining those found guilty of disintering dead bodies, have had that matter under consideration, and have directed me to report a bill in accordance with the suggestion of the resolution; the committee have also directed me to report a bill reviving an act omitted in the Revision of last session, providing for the criminal punishment of officers knowingly and fraudulently guilty of malfeasance in office; the bill accompanying this covers the two cases, and its passage is recommended;

No. 206. A bill amending the criminal law;

Read a first time and passed to a second reading on to-morrow.

Mr. Parker, chairman of the same committee, made the following report:

Mr. Speaker:

The judiciary committee, to whom was referred a resolution of the House, directing them to enquire into the expediency of making the the two oldest justices of the peace in each township in this State, ex officio, overseers of the poor, have had that matter under consideration and have directed me to report that they believe the change contemplated by the resolution, would prove a good one; the office of overseer of the poor is not an unimportant one, and yet the election of that officer is often made a subject of merriment, and when it is not so trifled with, in nineteen cases out of every twenty, it is believed that the person elected has a very imperfect idea of the duties devolved upon him, and the manner in which they should be discharged. And not being supplied with the Statutes of the State, when called

upon to act officially, he calls upon the neighboring justice who keeps the Statutes, and is by the justice duly indoctrinated as to his duties, so the justice might as well do the duties at once, and thus save the time and trouble of another man. He has facilities too for doing the duties well and vigilently, which those officers now have not. In addition to always having the Statutes at hand, and being comparatively familiar with them, he has his constable constantly moving through the township, who can readily and promptly bring and carry information for him as to the poor, &c., the committee therefore have reported a bill herewith and recommend its passage;

No. 207. A bill relative to overseers of the poor, which was

Read a first time and passed to a second reading on to-morrow.

Mr. Barbour, from the committee on the judiciary, made the following report:

Mr. Speaker:

The committee on the judiciary, to which was referred bill No. 115 abolishing the office of prosecuting attorney, and the salary thereof, paid by the State, and for the election of a prosecuting attorney in each county, have had that subject under consideration, and have instructed me to report that in their opinion it is inexpedient to make any change in the existing law on that subject;

Which report was concurred in.

Mr. Gorman, from the same committee, made the following report:

Mr. Speaker:

The judiciary committee, to which was referred bill No. 28, entitled "A bill for the relief of Cornelius Ferree, have had the subject under consideration, and have directed me to report that under the circumstances of the original letting of this water power at the feeder dam on White river, below Indianapolis, they are advised by the engineer who has been engaged on this and other public works of the State, that there is not the least shadow of doubt, but that part of the consideration and inducement to Mr. Ferree to purchase this power at this point, was the anticipated completion of the Central canal, at least to Indianapolis; that with this hope and this view of the subject, he became the purchaser, therefore they unanimously conclude that even handed justice demands that a reasonable reduction in his water rents should be made, consequently they recommend the passage of the accompanying bill:

On motion of Mr. Norvell,

The said bill in said report was laid on the table.

The following message was received from the Senate by Mr. Otto, their Principal Secretary:

Mr. Speaker:

The Senate has adopted the following resolution:

Resolved, That the Senate will, the House of Representatives concurring therein, proceed to the election of State Printer on Tuesday, the 2d inst., at half past 10 o'clock, A. M.;

In which the concurrence of the House of Representatives is respectfully requested.

On motion,

The said resolution in the message mentioned, was concurred in by the House.

Ordered, That the clerk inform the Senate thereof.

The following message was received from the Senate by Mr. Otto, their Principal Secretary:

Mr. Speaker:

The Senate has concurred in a resolution of the House in the following words:

" *Resolved*, That the House will, the Senate concurring therein, proceed to the election of President of the State Bank on Friday next at 10 o'clock, A. M.,"

With an amendment, to-wit: strike out all after the word " on," in the third line of said resolution, and substitute the words " Wednesday the third inst., at two o'clock, P. M.;"

In which amendment I have been directed to ask, respectfully, the concurrence of this House.

Mr. Edmonston moved to lay the resolution in said message mentioned on the table;

Which motion did not prevail.

Mr. Edmonston moved to concur in said resolution, as amended by the Senate with the following amendment:

" Strike out Wednesday the third instant, and insert Saturday the sixth instant;

Which did not prevail.

Mr. James moved to concur with the following amendment:

"Amend by adding ' Sinking Fund Commissioner;' "

Which did not prevail.

Then the resolution, as amended by the Senate, was concurred in.

Ordered, That the clerk inform the Senate thereof.

The following message was received from the Senate, by Mr. Otto, their Principal Secretary:

Mr. Speaker:

The Senate has passed, without amendment, engrossed bills of the House of Representatives of the following titles, to-wit:

No. 85. An act to authorize the school commissioner of Pike county to loan the common school fund of Pike county on personal security;

No. 73. An act amendatory and supplemental to an act entitled "An act providing for the election of three school commissioners in township No. 14 north, of range No. 7 west, in Park county, approved January 14th, 1842;

No. 12. An act for the relief of Michael FitzGibbons;

No. 122. An act to authorize Charles Nelson to build a mill dam across the Wabash;

No. 125. An act to vacate a certain alley in the town of Bloomington, Monroe county;

No. 94. An act relating to the proof of title to state lands:

No. 104. An act concerning the licensing of auctioneers in the city of Fort Wayne;

No. 110. An act to change the name of David Barker to the name of David Dobbins;

No. 98. An act for the relief of George Belshaw;

No. 123. An act declaring a certain road in Steuben county a state road;

No. 88. An act vacating a certain alley therein named in the town of Delphi;

No. 50. An act to vacate the town of Lagrange;

No. 86. An act extending the provisions of a certain act therein named in the county of Kosciusko;

Also, a joint resolution of the House of Representatives,

No. 14. A joint resolution on the subject of postage;

Without amendment.

His Excellency, the Governor, has informed the Senate that he did on the 28th inst., approve and sign,

No. 40. An act to legalize the proceedings of the board of commissioners in the county of Monroe, at the August session thereof, 1841; also,

No. 5. An act relative to a certain state road in the county of Elkhart.

Mr. Blakemore, from the committee on the judiciary, made the following report:

Mr. Speaker:

The judiciary committee, to whom was referred bill No. 105, amending an act entitled "An act relating to the seminary fund in the county of Cass," approved February 11th, 1843, have had the same under consideration, and have directed me to report it back to this House, and recommend its passage without amendment.

Bill No. 105, in the said report mentioned was ordered to be engrossed for a third reading on to-morrow.

Mr. Blakemore, from the same committee, made the following report:

Mr. Speaker:

The judiciary committee to whom was referred a bill entitled No. 114. A bill amendatory of an act exempting improvements from taxation for county purposes in certain counties therein named, have had the same under consideration and a majority of said committee have requested me to report the same back to this House, without amendment, and recommend its passage;

The question being taken on the engrossment of the said bill in said report mentioned;

It was decided in the negative.

Mr. McDonald, from the committee on the judiciary, made the following report:

Mr. Speaker:

The judiciary committee to whom was referred the memorial of Thomas P. Britton, praying the repeal of certain special laws therein named, have had that matter under consideration, and have directed me to report that they deem it inexpedient to grant the prayer of the petitioner, and the committee cannot forbear taking this opportunity to express their opinion against the principle of special legislation, this being one of those cases of special legislation which has required special amendatory acts to explain, enlarge, restrain, or qualify previous special legislative acts, and has finally resulted in a petition to this legislature, praying its special action to repeal the special acts of previous legislatures, involving the State in increased expenditures, and deranging the action of long established and well settled rules of action; they therefore recommend that no further action be had in the premises, and ask to be discharged from the further consideration thereof;

Which report was concurred in.

Mr. McDonald, from the same committee, also made a report, reporting back bill

No. 133. A bill changing the application of water power at the St. Mary's aqueduct, on the Wabash and Erie canal, from the propulsion of a saw mill to that of a grist mill;

Which was, on motion, laid on the table.

Mr. Norvell, on leave, introduced the following resolution:

Resolved, That the Senate be invited instanter to attend in the Hall of the House to proceed to the election of State Printer, and that seats be prepared for them on the right of the Speaker's chair;

Which resolution was adopted.

Thereupon the Senate came into the Hall of the House of Representives, and took their seats on the right of the Speaker's chair and the President of the Senate on the right of the Speaker, and proceeded, by vote viva voce, to the election of a State Printer; and on the first vote

The following members voted for Delana R. Eckles:

Messrs. Alexander, Bradley, Buell of Warren, Burke, Cornett, Cotton, Davis of Floyd, Defrees, Duzan, Ewing, Farmer, Henry, Hodge, Hutton, Moore, Morgan, Orth, Pennington, Pitcher, Reeve, Rayborn, Sands, Stanford, Todd, Walpole, Allen of Laporte, Allen of Putnam, Barrett, Bearss, Blakemore, Clark of Hamilton, Clark of T., Coffin, Conner, Foley, Ford, Forseman, Garrett, Gilbert, Gregory, Halbert, Hannah, Harris, Harrison, Hiatt, Hobbs, Hodges, Holloway, Hudleston, Hurlbut, James, Kerr, Lee of Jefferson, Macy, Matheney, Miller of Vanderburgh, Montague, Morgan, Nees, Nutter, O'Neal, Parker, Reed, Rich, Roberts of L., Roberts of Putnam, Seller, Shelby, Simpson, Smith, Sutherland, Tevis, Verbrike, Williams, Williamson, Wolfe, and Woolman.—77.

Those who voted for Jacob P. Chapman are,

Messrs. Akin, Berry, Carr of Jackson, Carr of Lawrence, Chapman, Davis of Daviess, Dobson, Herriman, Hoover, Jones, Kennedy Leviston, Major, Miller, Mitchell, Parks, Read, Ritchey, Shanks, Sinclear, Tannehill, Wood, Athon, Barbour, Boone, Bowles, Burton, Byers, Chambers, Chapman, Cowen, Cuppy Edger, Edmonston, Elder, Engle, Ferry, Fuller, Gorman, Handy, Hardin, Helwig, Hostetter, Jones of Fountain, Jones of Franklin, Keimer, Kelly, Lee of Posey, Logan of Pike, Logan of Washington, McAllister, McClure, McConnell, McDonald, McRae, Mickle, Miller of Crawford, Montgomery, Mooney, Moore, Norvell, Palmer, Robbins, Saffer, Simonson, Spicknall, Turman, Wright, and Mr. Speaker.—69.

Mr. Noel received the vote of Mr. Dowling.—1.

Delana R. Eckles having received a majority of all the votes given, was, by the President of the Senate, in presence of both Houses, declared duly elected State Printer for the State of Indiana, to serve as such for the term of three years from and after this day.

The President of the Senate adjourned the convention sine die.

The Senate then returned to their chamber.

The House then resumed the consideration of bill

No. 204. A bill to amend an act entitled "An act authorizing the issue of $5 Treasury Notes for the redemption of the $50 Treasury Notes now in circulation," approved January 31st, 1842;

The question then recurred on the motion of Mr. Gorman, previously made, to lay on the table;

And the ayes and noes having been demanded by Messrs. Gorman and Barbour,

Those who voted in the affirmative are,

Messrs. Allen of Putnam, Athon, Barbour, Barrett, Cuppy, Edger, Engle, Foley, Gorman, Gregory, Hardin, Harris, Harrison, Helwig, Hiatt, Holloway, Huddleston, Hurlbut, Jones of Fountain, Kerr, Macy, McAlister, M'Clure, McConnell, Mickle, Miller of Vanderburgh, Moore, Morgan, Nees, O'Neall, Parker, Reed, Rich, Robbins, Seller, Shelby, Simonson, Simpson, Smith, Spicknall, Tevis, Turman, Verbrike, Wolfe, Wright, and Mr. Speaker.—46.

Those who voted the negative are,

Messrs. Allen of Laporte, Bearss, Blakemore, Boone, Bowles, Burton, Byers, Chambers, Chapman. Clark of Hamilton, Clark of Tippecanoe, Coffin, Conner, Cowen, Dowling, Edmonston, Elder, Ferry, Forseman, Fuller, Garrett, Gilbert, Handy, Hannah, Hobbs, Hodges, Hostetter, James, Keimer, Kelly, Lee of Jefferson, Lee of Posey, Logan of Pike, Logan of Washington, Matheny, McDonald, McRae, Miller of Crawford, Montague, Montgomery, Mooney, Norvell, Nutter, Palmer, Roberts of Putnam, Saffer, Sutherland, Williams, and Woolman.—49.

So said motion did not prevail.

Mr. Simonson moved to recommit said bill to the committee on ways and means with the following instructions: to amend the same so as to authorize the Treasurer of State to make a negotiation with the State Bank, or any other moneyed institution or individual for a loan of bankable funds or bank scrip, not exceeding $75,000, upon terms not exceeding six per cent. per annum; and that in case such negotiation cannot be effected upon reasonable and just terms, said Treasurer be impowered to issue Treasury Warrants drawing six per cent. per annum, for all dues from the Treasury for the ensuing year.

Mr. Edmonston moved to amend the instructions by striking out that part which relates to Bank Scrip;

Which was adopted.

The instructions as amended, were adopted, and the bill with the instructions was re-committed.

The House

On motion,

Adjourned till half-past 1 o'clock P. M.

half-past 1 *o'clock P. M.*

The House met.

Mr. Norvell, chairman of the committee on education, made the following report:

Mr. Speaker:

The committee on education to whom was referred the petition of sundry citizens of Benton county, for legalizing the acts of the school commissioner of said county, have had the same under consideration and have directed me to report the following bill and recommend its passage:

No. 208. A bill to legalize the acts of the school commissioner of Benton county, which was

Read a first time and passed to a second reading on to-morrow.

Mr. Norvell, chairman of the same committee, made the following report:

Mr. Speaker:

The committee on education to whom was referred bill of the House No. 179, providing for the relinquishing of saline lands in the county of Orange, have had the same under consideration and have directed me to report the same back and recommend its passage.

No. 179, in the said report mentioned, was ordered to be engrossed for a third reading on to-morrow.

Mr. Norvell, chairman of the same committee, made the following report:

Mr. Speaker:

The committee on education to whom was referred bill of the House No. 124, providing for the application of saline funds to common school purposes, together with a resolution on the same subject, have had the same under consideration and have directed me to report back the bill without amendment and recommend its passage.

The subject of the resolution is embraced in the provisions of the bill thus reported back; we therefore wish to be discharged from further consideration of said resolution.

Mr. Foley moved that so much of said bill as requires publication to be made in public newspapers be stricken out;

Which did not prevail.

Then bill No. 124, in said report mentioned, was ordered to be engrossed for a third reading on to-morrow.

Mr. Hodges, from the committee on education, made the following report:

Mr. Speaker:

The committee on education to whom was referred bill No. 8, of the Senate; "An act to incorporate the university of *Notre Dame du Lac*," have had the same under consideration and have directed me to report the same back to the House with the following amendment, and recommend its passage:

Amend by putting the words "or repeal" in the proper place in the second line of the second section, and strike out the two last lines of said section;

The amendments by the committee were concurred in, and the bill ordered to be engrossed;

And the bill passed to a third reading on to-morrow.

Mr. Huddleston, from the same committee, made the following report.

Mr. Speaker:

The committee on education to which was referred a resolution of this House instructing the committee to enquire into the expediency of so amending the school law as to constitute the school trustees of each township a board of examiners of teachers of common schools, have had that subject under consideration and have directed me to report a bill and recommend the passage thereof:

No. 209. A bill in relation to examiners of common school teachers, which was

Read a first time and passed to a second reading on to-morrow.

Mr. Miller of V., from a committee, made the following report, on leave granted:

Mr. Speaker:

The committee to whom was referred the memorial of Martin Schmall and others, praying a divorce to be granted, dissolving the banns of matrimony between Martin Schmall and Anna Maria Schmall his wife, have had that matter under consideration, and after mature deliberation, have directed me to report the accompanying bill:

No. 210. A bill to divorce Martin Schmall from Anna Maria, his wife; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Simonson, chairman of the committee on the State Prison, made the following report:

Mr. Speaker:

The committee on the affairs of the State Prison to which was referred bill No. 147, entitled "A bill to amend an act for the regulation of the State Prison," approved Feb. 17th, 1841, approved Feb. 10th, 1841, have had the same under consideration and directed me to report the same with one amendment, viz:

Strike out "four" in the fourth line of the first section, and insert "six," so that it shall read "six hundred dollars," and recommend its passage.

The amendment of the committee to said bill was concurred in, and ordered to be engrossed for a third reading on to-morrow.

Mr. Cuppy, chairman of the committee on claims, made the following report:

Mr. Speaker:

The committee on claims to whom was referred a bill of the Senate No. 56, entitled "A bill for the relief of Jas. Vawter of Jefferson Co." have had the same under consideration and have directed me to report the same back to the House without amendment, and recommend its passage, and ask to be discharged from the further consideration of that subject;

No. 56, of the Senate, in the said report was ordered to a third reading on to-morrow.

Mr. Cuppy, chairman of the same committe, made the following report:

Mr. Speaker:

The committee on claims to whom was referred the claim of Isaac P. Smith for services rendered in measuring and estimating work done by Pratt and McDougal on the Old State Prison, and for furnishing a plan and estimate of expense of a Lunatic Asylum, have had that matter under consideration and find it to be correct, and have directed me to report it back to the House and recommend that provision be made in the specific appropriation bill for its payment, and ask to be discharged from its further consideration;

Which report was concurred in.

Mr. Blakemore from the committee on claims made the following report:

Mr. Speaker:

The committee on claims to whom was referred the claim of Isaac P. Smith, for services rendered as superintendent of the construction of the New State Prison, have had the matter under considera-

tion and find it to be correct, and have instructed me to report it back to this House and recommend that provision be made in the specific appropriation bill for its payment, and ask to be discharged from its further consideration.

The question being,

Will the House concur in the said report?

It was decided in the negative.

Mr. Chapman, of the committee on roads, made the following report:

Mr. Speaker:

The committee on roads to whom was referred Senate bill No. 58, to locate a State Road in Sullivan county, have had the same under consideration and directed me to report it back to the House and recommend its passage;

Bill of the Senate No. 58, in said report mentioned was then ordered to a third reading on to-morrow.

Mr. Chapman, chairman of the same committee, made the following report:

Mr. Speaker:

The committee on roads to whom was referred bill No. 76, "An act to re-locate a State road in Sullivan county, have had the same under consideration and have directed me to report the same back to the House without amendment and recommend its passage;

Said bill No. 76, in the said report mentioned was ordered to be engrossed for a third reading on to-morrow.

Mr. Chapman, chairman of the same committee, made the following report:

Mr. Speaker.

The committee on roads, to whom was referred bill of the House, No. 161, a bill to legalize the records of roads and highways in the county of Clay, have had the same under consideration, and have directed me to report it back to the House without amendment, and recommend its passage;

Bill No. 161. In said report mentioned, was ordered to be engrossed for a third reading on to-morrow.

Mr. Chapman, chairman of the same committee, made the following report:

Mr. Speaker:

The committee on roads, to whom was referred a resolution directing them to enquire into the expediency of so changing the road law

as to authorize the boards of township trustees to order the county road tax to be expended on their proportion of roads in their respective townships, as in their opinion the same is most needed, have had the same under consideration, and have directed me to report that as in many of the counties in the State, there are no township trustees, therefore it is inexpedient to legislate further on said subject, and ask to be discharged from the further consideration of said subject;

Which report was concurred in.

Mr. Shelby, from the committee on roads, made the following report:

MR. SPEAKER:

The committee on roads, to whom was referred resolution of the House enquiring into the expediency of authorizing the supervisors to work on and keep in repair the turnpike road from Crawfordsville to Lafayette, have had the same under consideration, and have instructed me to report the following bill and respectfully recommend its passage:

No. 211. A bill to provide for keeping in repair a turnpike road from Lafayette to Crawfordsville; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Dowling of Vigo, made the following report:

MR. SPEAKER:

The committee on canals and internal improvements, to which was referred bill No. 126, a bill regulating tolls on the Wabash and Erie canal, with the instructions of the House, increasing said tolls one-third, have had the same before them, have made the amendment required, now report the same back to the House, and recommend its passage, "strike out from the enacting clause and insert a new bill;"

The amendments of the committee to the said bill No. 126, in said report mentioned, were concurred in by the House.

Mr. Ferry moved to amend the bill as follows:

Strike out from the enacting clause, and insert,

"That hereafter the tolls and water rents upon the Wabash and Erie canal shall only be received in Indiana Treasury Notes (with the interest thereon to be computed) and par funds;

That all laws or parts of laws conflicting with the provisions of this act be and the same are hereby repealed."

When Mr. Wright moved the previous question;

Which was seconded by the House.

And the question being,

Shall the main question be now put?

And the ayes and noes having been demanded by Messrs. Bearss and Dowling:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Allen of Putnam, Athon, Barbour, Barrett, Boone, Burton, Byers, Chambers, Clark of Hamilton, Clark of Tippecanoe, Coffin, Conner, Dowling, Edger, Edmonston, Engle, Foley, Ford, Forseman, Fuller, Garrett, Gilbert, Gregory, Hardin, Harris, Harrison, Hiatt, Hodges, Holloway, Hostetter, Huddleston, Jones of Fountain, Keimer, Kelly, Kerr, Lee of Jefferson, Lee of Posey, Logan of Pike, Logan of Washington, Macy, Matheny, McAlister, McClure, McConnell, McDonald, McRae, Miller of Crawford, Miller of Vanderburgh, Montague, Montgomery, Moore, Nees, Norvell, Nutter, O'Neal, Palmer, Parker, Reed, Saffer, Seller, Simonson, Simpson, Smith, Spicknall, Sutherland, Tevis, Turman, Verbrike, Williams, Wolfe, Woolman, Wright and Mr. Speaker.—74.

Those who voted in the negative are,

Messrs. Bearss, Blakemore, Bowles, Chapman, Cowen, Cuppy, Elder, Ferry, Gorman, Handy, Helwig, Hurlbut, James, Mickle, Mooney, Morgan, Rich, Robbins, and Shelby—19.

So the main question was ordered to be put.

Which question is,

Shall the bill be engrossed for a third reading on to-morrow?

And the ayes and noes having been demanded by Messrs. Bearss and Dowling:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Allen of Putnam, Athon, Barbour, Barrett, Boone, Burton, Chambers, Chapman, Clark of Hamilton, Coffin, Dowling, Edger, Edmonston, Elder, Foley, Ford, Fuller, Garrett, Gilbert, Gorman, Gregory, Hannah, Hardin, Harris, Harrison, Hiatt, Hodges, Holloway, Hostetter, Huddleston, Hurlbut, Jones of Fountain, Jones of Franklin, Kelly, Kerr, Lee of Jefferson, Lee of Posey, Logan of Pike, Logan of Washington, Macy, Matheny, McAlister, McClure, McDonald, McRae, Mickle, Miller of Crawford, Miller of Vanderburgh, Montague, Montgomery, Moore, Morgan, Nees, Norvell, Nutter, O'Neal, Palmer, Parker, Reed, Rich, Saffer, Seller, Simonson, Simpson, Smith, Spicknall, Sutherland, Tevis, Turman, Verbrike, Williams, Wolfe, and Wright—73.

Those who voted in the negative are,

Messrs. Bearss, Blakemore, Bowles, Byers, Clark of Tippecanoe, Cowen, Cuppy, Engle, Ferry, Forseman, Handy, Helwig, James,

Keimer, McConnell, Mooney, Robbins, Shelby, Woolman, and Mr. Speaker—20.

So the bill was ordered to be engrossed for a third reading on to-morrow.

Mr. Dowling, from the committee on canals and internal improvements, made the following report:

MR. SPEAKER:

The committee on canals and internal improvements, to which was referred bill of the House No. 57, an act for the relief of John Sanky of Vigo county, with the following instructions, to-wit: "That said applicant pay all expense incurred by said examination, unless damages are allowed," your committee amended the bill at the end of the fifth line, third section, report the bill back to the House with the amendment, and ask to be discharged from the further consideration thereof;

The amendment by the committee was concurred in, and the bill ordered to be engrossed for a third reading on to-morrow.

Mr. Dowling, from the same committee, made the following report:

MR. SPEAKER:

The committee on canals and internal improvements, to which was referred bill of the House, No. 78, a bill for the relief of George Markle, have had the same under consideration, and having no evidence that the State was indebted to him, none having been adduced, except the simple claim set up in the bill itself, have directed me to report the same back to the house and recommend its referrence to the committee on claims, and ask to be discharged from the further consideration thereof;

Which report was concurred in, and the said bill

No. 78. In said report mentioned, was referred to the committee on claims.

Mr. Dowling, from the committee on canals and internal improvements, made the following report:

MR. SPEAKER:

The committee on canals and internal improvements, to which was referred a petition of sundry citizens of Miami county, asking for the construction of a bridge across the Wabash and Erie canal at the expense of the State, at Townsend's mills, on said canal, report it inexpedient, and ask to be discharged from the further consideration thereof;

Which report was concurred in.

Mr. Palmer, from the same committee, made the following report:

Mr. Speaker:

The committee on canals and internal improvements, to whom was referred bill No. 134, for the rebuilding of an aqueduct across St. Mary's river on the Wabash and Erie Canal, and for other purposes, have had the same under consideration, and have directed me to report that they deem it inexpedient to legislate upon that subject, as they consider the law now in force amply sufficient to authorize the superintendent to make all necessary provisions for the successful navigation of said canal; they therefore recommend its indefinite postponement, and ask to be discharged from the further consideration of this subject;

Which report was concurred in, and the said bill therein named was indefinitely postponed.

Mr. Clark of T., chairman of the committee on agriculture, made the following report:

Mr. Speaker:

The committee on agriculture to which was referred a bill No. 195, entitled "An act to improve the breed of sheep, have had the same under consideration, and have directed me to report said bill with an amendment, striking out all of said bill from the enacting clause and inserting the following in lieu thereof, and recommend its passage:

The amendment of the committee was concurred in and the bill ordered to be engrossed for a third reading on to-morrow.

Mr. Ferry, chairman of the committee on corporations, made a report reporting back bill No. 10 of the Senate, entitled "A bil lto incorporate the Lagrange phalanx;"

Which report and bill were,

On motion,

Laid on the table.

Mr. Gorman, chairman of the committee on federal relations, made the following report:

Mr. Speaker:

The committee on federal relations, to which was referred joint resolution No. 15, entitled "A joint resolution on the subject of the Oregon Territory," have had that subject under consideration, and have directed me to

REPORT,

That the settlement and immediate occupation of the Oregon Territory, is big with interest to the United States, and particularly to

the West. Your committee have taken some pains to find out the title by which the United States claim this Territory, and the extent of the pretended title of Great Britain thereto.

For the purpose therefore of making this sketch of our title as brief possible, we make the following extract from authentic public documents. "The treaties of 1803 and 1819, the former with France, by which we acquired Louisiana; the latter with Spain, by which we acquired all her rights on the Northwest coast of America, North of 42 degrees. By the first of these treaties we became a party to the 10th article of the treaty of Utrecht, between France and England. The treaty of peace of 1714, which terminated the Wars of Queen Ann and Louis 14, and settled all their differences of every kind in Europe and America, and undertook to prevent the recurrence of future differences between them. The 10th article of this treaty applied to their settlements and territories in North America, and directed commissaries to be appointed to mark, and define their possessions.—These commissaries did their work. They drew a line from Ocean to Ocean, to separate the French and British Dominions, and to prevent future encroachments and collisions. This line began on the coast of Labrador, and followed a course, slightly South of West, to the centre of North America. Leaving the British settlements of Hudson's Bay to the North, and the French Canadian possessions to the South. This line took for a land mark, the Lake of the Woods, which was then believed to be due East, from the head of the Mississippi, and from that point took the 49th parallel of North latitude indefinitely to the West.

The language of the line is *indefinitely*, and this established the Northern Boundary of Louisiana, and erected a wall beyond which future French settlements could not cross to the North, nor British to the South. Capt. Gray first discovered the Columbia river at its mouth, in 1790. Lewis and Clark discovered it from its head to the Sea, in 1804–5; and from those discoveries we claim the right in the first place, in addition to the rights derived from treaties.

No sooner was this discovery made, than the British authorities sent out a Mr. McKenzie to discover it again. But it seems he missed his way and struck the Ocean 500 miles North of the Columbia. So the attempt to hatch up a claim to this river failed. The British Government have been assiduously engaged in trying to destroy the line of 49 degrees ever since its establishment. In 1807, the British by treaty did get the line of 49 degrees mutilated, but Mr. Jefferson rejected that treaty, and they were foiled again in this attempt.

It seems that the British Government never pretended to state and assert any claim or shadow of claim to colonize and settle on the Columbia river up to 1818.

After that time they asserted some pretended title or claim founded on discoveries made by Capt. Cook, and by purchases made of the Indians South of the Columbia, before the American Revolution. But never pretended to show any thing to sustain these pretensions.

In 1826 they abandoned the futile claim of 1818, and "took shelter under the Nootka Sound treaty of 1790;" by which they only acquired the right of *fishing* and *hunting* in that region. By no means thereby acquiring any right to the ownership and exclusive occupation, even the privilege of hunting, fishing, &c, was to be exercised jointly, by the citizens of the United States and Great Britain, and indeed we find that this treaty nullifies the British right to colonization and settlement and in point of law confines them to hunting and fishing. It seems therefore that the whole policy of the British is now, and has heretofore constantly been, to drive our traders off from the occupation and settlement on the Columbia.

The British Diplomatist, Mr. Fox, holds the following language in one of his late letters on this important subject, that is, the pretended title of his Government to the Columbia river.

But after this pompous recognition of right to navigation, fishing, and commerce, comes another article, (the 6th) "which takes away even the right of landing and erecting even temporary huts, for any purpose but that of carrying on the fishery, and amounts to a complete dereliction of all right to settle in any way for the purpose of commerce with the Natives."

In the above extract we find a clear acknowledgment of a want of good, or even a shaded title to occupancy and colonization.

Previous to the late war, and quite as early as 1810 or 1811, John Jacob Astor founded a settlement on the Columbia, before any British settlements were attempted in any manner or for any purpose whatever.

But during the late war the British took Astoria, and destroyed Mr. Astor's property and took formal possession in the name of the King, and changed the name from "Astoria" to "Fort George."

The capture of the Astoria Posts being an act of war. There was by the treaty of Ghent, a general restoration of all property and territory taken during the late war. Accordingly Mr. Astor was completely restored to all his original rights and privileges.

This therefore was a clear and unequivocal acknowledgment of our original and absolute right to the territory in question, or it would not have been restored to us as a part of their legitimate conquest in war.

Notwithstanding all those clear and indubitable evidences of title in the United States to the territory of 49 degrees latitude, North, the British have the actual possession. And now what is the conduct of the British? They have crossed the 49th degree, settled on the Columbia, from head to mouth; fortified it, monopolized the fur trade, and are daily urging on the savage Indian tribes, to murder our trappers, traders, and settlers, and are now using this important port to bring British goods free of duty, to trade upon within our borders. All these enormities they are even now perpetrating through their authorized agent, the "Hudson Bay company." It has been justly and correctly remarked by a distinguished Statesman, in speaking upon this subject.

That "besides encroaching upon our borders, Great Britain is using all her own advantages in a hostile sense.

Bermuda, opposite the southern coast is made a vast place of arms. Nassau, New Providence, almost in sight of Florida, is made the same, the lines of steamers to Halifax and to the West Indies, commanded by Naval officers, and fitted for war, are all preparations against us. All around us, East, West, North, South, Great Britain is surrounding us, and encroaching upon us; she is involving us in her folds, and twisting herself all around us; we are blockaded, hedged in, circumvented on all sides, and yet we fear to bid the intruder to leave our premises. The British Government at this time it extending gradually her British laws, British judges and British courts, to govern and control the inhabitants of that region. Is this right? Will we as American citizens see such unfounded assumptions of power; and calmly fold our arms, and say by our silence that we do not wish to speak out boldly, for fear of *offending her Britanic Majesty, and her loyal subjects?* If such is the debasing spirit that animates the bosoms of the sons of the Western pioneer, greatly degenerated is the blood that now courses through their veins, from that of their forefathers, even of modern times. Such we do not believe are the feelings of the Western people, especially on this subject. War is now the favorite policy with England, and war with us too. The patriot's bosom, and the soldier's sword respond, "Let it come rather than dishonor." We hold it, therefore, proper, legitimate, and right, that the Congress of the United States shall, and that immediately, take active and effective steps to occupy and colonize the valley of the Columbia river, by armed posts, and offering every possible, yet reasonable inducement to the American citizen to emigrate to, and settle within that rich and fertile valley, from the Rocky Mountains to its mouth.

We feel like adoping the motto of that time honored soldier and Statesman, Gen. Andrew Jackson, in times past, when speaking to the American people: "We ask nothing but what is right, and will submit to nothing that is wrong."

We cannot conclude this report without expressing with pleasure, our satisfaction at the noble and patriotic suggestions of President Tyler, in his late annual message; he has taken the stand of a true friend to his country, and one that entitles him to a high seat in the affections of the people of the West.

W. A. GORMAN, Chairman.

Mr. Hannah dissents from this report.

Mr. Rich, from the language which signifies Mr. Tyler entitled to a high seat in the affections of the West simply for having once been right.

Which report was concurred in and joint resolution No. 15, therein named, was ordered to be engrossed for a third reading on to-morrow.

Mr. Gorman, chairman of the same committee, made the following report:

Mr. Speaker:

The committee on federal relations to which was referred joint resolution No. 59, entitled "A joint resolution on the subject of reducing the salaries and pay of officers of the general government," have had the subject under consideration, and feeling deeply the urgent necessity and importance of a strict and rigid system of economy in the public expenditures, in both the State and National Government.—They feel constrained to say that the present salaries of members of Congress, together with the various other officers of government ought, in their opinion, to be reduced in all cases where it can be done consistently with a faithful and responsible discharge of the public service. Your committee do not, by any means, urge that a great and sudden change should be made; but they do urge that a reasonable and just reduction shall be made.

The time was when it would require some several weeks to travel from the distant south and west to Washington city. But the travelling facilities have been almost incalculably increased, and instead of requiring weeks to make the trip, it now only requires a few hours.

Another and as we deem a cogent reason for this reduction, is the embarrassed condition of our State and National Governments; for indeed if it is to be the policy of the National Government hereafter, as it has been a few years past to collect large revenues from the people through the sales of public lands, and then after having absorbed a large portion to pay collecting officers, turn round with a deliberate hand and distribute the whole of those revenues to the people again, thereby encouraging wild schemes of internal improvement, and reckless and chimerical speculations. It would seem that we could not too strongly urge upon our representatives the doctrines of rigid economy and strict accountability in all the departments of the National Government. Your committee feel constrained to remark further, that when those doctrines of economy shall prevail in spirit and in truth, when we can see less theory and more practice, then will the cry for high protective taxes cease.

Then we may look with a bright hope to the day when the patriotic sons of the south, the west and the south-west, will cease to be the tributary slaves of the northern manufacturer. It is a just remark, also, that a splendid government, high fed, and higher paid officers, are sure indexes of a poor people.

Your committee therefore recommend that the original resolution be stricken out from the resolving clause, and insert the following and reeommend its passage.

Mr. Hurlbut moved to lay said report and the joint resolution therein named on the table;

And the ayes and noes were demanded by Messrs. Gorman and Engle:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Bearss, Blakemore, Clark of Hamilton, Coffin, Conner, Ford, Forseman, Gregory, Hannah, Harris, Holloway, Hudleston, Hurlbut, James, Macy, Montague, Morgan, Nutter, Parker, Reed, Rich, Seller, Smith, Verbrike, and Woolman.—24.

Those who voted in the negative are,

Messrs. Allen of Putnam, Athon, Barbour, Barrett, Boone, Bowles, Burton, Byers, Chambers, Chapman, Clark of Tippecanoe, Cowen, Cuppy, Dowling, Edger, Edmonston, Elder, Engle, Ferry, Foley, Fuller, Garrett, Gilbert, Gorman, Handy, Hardin, Harrison, Helwig, Hiatt, Hodges, Hostetter, Jones of Fountain, Jones of Franklin, Keimer, Kelly, Kerr, Lee of Jefferson, Lee of Posey, Logan of Pike, Logan of Washington, Matheny, McAlister, McClure, McConnell, McDonald, McRae, Mickle, Miller of Crawford, Miller of Vanderburgh, Montgomery, Mooney, Moore, Nees, Norvell, O'Neal, Palmer, Robbins, Saffer, Shelby, Simonson, Simpson, Spicknall, Tevis, Turman, Williams, Williamson, Wolfe, Wright, and Mr. Speaker—71.

So said motion to lay on the table did not prevail.

The amendment was then concurred in and the joint resolution was ordered to be engrossed for a third reading on to-morrow.

Mr. Rich in behalf of the minority of the committee on federal relations, made the following counter report:

Mr. Speaker:

We the undersigned dissent from the *slang whang* and extraneous matter of the report of the majority of the committee on federal relations.

D. C. RICH,
THOS. M. SMITH,
SAM'L HANNA.

Mr. O'Neal, from the committee on education, made the following report:

Mr. Speaker:

The committee on education to which was referred bill No. 127, of the House, entitled "An act for the relief of purchasers of congressional school lands, have had the same under consideration and have

directed me to report the same back to the House without amendment and recommend its passage.

No. 127, the bill in said report mentioned was ordered to be engrossed for a third reading on to-morrow.

Mr. Jones of Franklin, from the committee on education, made the following report:

Mr. Speaker:

The committee on education to whom was referred the petition of sundry citizens of Cass county, in relation to the seminary fund of said county, have had the same under consideration and instructed me to report the following bill and request its passage.

No. 212. A bill supplemental to an act entitled "An act relating to the seminary fund in Cass county," approved February 11th, 1843; which was

Read a first time and passed to a second reading on to-morrow.

Mr. O'Neal, from the committee on education made the following report:

Mr. Speaker:

The committee on education to which was referred the petition of sundry citizens of Gibson county on the subject of relinquishing school lands, have had that subject under consideration and after mature deliberation have directed me to report that the prayer of the petitioners are measurably provided for in bill No. 127 of the House, and respectfully ask to be discharged from the further consideration thereof;

Which report was concurred in.

Mr. O'Neal, from the same committee, made the following report:

Mr. Speaker:

The committee on education to which was referred the petition of sundry citizens of Steuben county praying for relief to purchasers of school lands, have had that subject under consideration and have directed me to report that the prayer of the petitioners is provided for in bill No. 127, now before this House, and ask to be discharged from the further consideration thereof;

Which report was concurred in.

Mr. James from the committee on the State Library made the following report:

Mr. Speaker:

The committee to which was referred No.— "A bill to extend certain privileges to Josephus C. Worrell," have had that subject under consideration and have instructed me to report it back without amendment and recommend its passage.

The question then being,

Shall the said bill in said report mentioned be engrossed for a third reading on to-morrow?

It was decided in the negative.

REPORTS FROM SELECT COMMITTEES.

Mr. Robbins, from a select committee, made the following report:

Mr. Speaker :

The select committee to whom was referred the petition of Job Meredeth, asking the privilege to build a mill-dam across Tippecanoe river, to enable the said Meredith to put in operation a flouring-mill, the committe has had the subject before them and directed me to report a bill and recommend its passage;

No. 213. A bill to authorize Job Meredith to build a mill-dam across Tipppecanoe river; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Mickle, from a select committee, made the following report:

Mr. Speaker:

The committee to whom was referred the petition of Peter and Thomas Bishop asking for relief, have had the subject under consideration and have directed me to report the following bill and respectfully ask its passage:

No. 214. A bill for the relief of the heirs of George Bishop, late of the county of Jay, deceased; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Helwig, from a select committee, made the following report:

Mr. Speaker:

The committee to whom was referred the petion of J. D. Johnson and other citizens of Steuben county, in relation to a State road therein named, have had the same under consideration and instructed me to report the following bill and recommend its passage;

No. 215. A bill relative to a State road in Steuben county; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Logan of Pike, from a select committee, made the following report:

Mr. Speaker:

The select committee to whom was referred the petition of Thos. C. Stewart, have had the same under consideration and have instructed me to report the following bill and recommend its passage;

No. 216. A bill for the relief of Thomas C. Stewart of Pike county;

Read a first time and passed to a second reading on to-morrow.

Mr. Edmonston, from a select committee, made the following report:

Mr. Speaker:

The select committee to whom was referred bill of the House, No. 196. A bill to amend an act entitled "An act applying certain funds to purposes of education," approved Jan. 31st, 1843, so far as Rush county is concerned, have had that subject under consideration and have directed me to report the same back to the House as amended, and recommend its passage:

The amendments of the committee to bill No. 196, in the said report mentioned,

Were concurred in by the House;

When Mr. Hannah moved to amend so as to make its provisions general;

Which motion did not prevail.

Then the said bill was amended by extending the provisions thereof to the counties of Scott, Warrick, Owen, Shelby, Randolph, Adams, Jay, Allen, Tippecanoe, Clay, Perry, Crawford, Benton, White, Pulaski, Sullivan, Warren, Vermillion, and Decatur.

On motion of Mr. Gorman,

The said bill as amended was re-committed to the judiciary committee with instructions to make a general law on that subject.

Mr. Simonson, from a select committee, made the following report.

Mr. Speaker:

The select committee to which was referred so much of the report of the Agent of State as relates to his settlement with Milton Stapp, late Fund Commissioner, have had the same under consideration and directed me to report, that upon an examination of the accounts in controversy between the parties, they find that said Mil-

ton Stapp, late Fund Commissioner, stands debtor to the State, on the books of the Agent of State, in the sum of - $107,187 50

They further find that on the 13th of June last, a partial settlement was made between the Agent of State and said Stapp, on which occasion credits were properly allowed said Stapp for, - $41,492 22

And credits were refused to be allowed but which the committee believe should have been allowed, to the amount of - 40,169 00

81,598 22

Leaving a balance of $25,589 28

For which, with so much interest thereon as makes the sum of $27,175 72, said Stapp executed his notes to the State, with security as reported by the Agent of State at the present session of the legislature: The material question presented for the consideration of the committee was, whether the $40,169 00, which had not been credited, should be allowed; and after examining the matter, and the statement of General Stapp and others, verified by affidavit, the committee were unanimously of opinion that this credit ought to be allowed. They are further of opinion that the Wyoming Bond, (so called) should be regarded as the property of the State, and that the suit in chancery now pending in the Marshall circuit court against said Stapp and others, should be dismissed on their paying the costs; and, understanding that the Agent of State will settle in accordance with the opinion here expressed, and he having full power to do so, the committee ask to be discharged from the further consideration of the subject;

Which report was unanimously concurred in and the committee discharged from the further consideration of the subject.

On motion of Mr. Simonson,

The following communication from Milton Stapp, Esq., was ordered to be spread upon the Journal of this House by unanimous consent:

To the Honorable, the House of Representatives of the State of Indiana:

The memorial of the undersigned would represent to your honorable body, that, by the report of M. G. Bright, Esq., Agent of the State, it will be perceived that the undersigned has given his four several notes, well secured, to the State of Indiana, for the sum of $3,693 93 each, as also a note for $12,400 to be discharged with the payment with $14,000 of the bonds of the State.

It is perhaps due to the undersigned to say to this honorable body, that these notes were not given to the State of Indiana for any moneys, bonds, or other property belonging to the State, which were used or appropriated by the undersigned to his own use or be-

nefit. Nor were these notes given by the undersigned as being justly due to the State from the undersigned; but that they were given, first, because that he believed himself *legally, not justly,* liable to pay a part thereof; and, secondly, because he believed at the time he gave those notes, that it would lead to a settlement of all of his accounts with the State, and thereby relieve him from a vexatious and ruinous law suit with a gigantic power, which might hang over him for many years and prevent his engaging in business for the support of a growing family.

The undersigned avers the fact to be, and it is susceptible of proof, that the amount for which he has given these notes, was placed in the position that made him liable, so far as he was liable, by an attempt on his part to save money to the State, and not in any way to benefit himself personally; and that the whole amount is lost to him forever.

The first amount for which the undersigned gave these notes, amounting to over $14,000, including interest, was lost in part by some mistake in making exchanges to put about $80,000 of western currency into eastern funds with which to pay our interest. The remaining portion of this sum was received from M. B. Sherwood, through his agent, William Hendricks, jr., for the purpose of purchasing bonds for him, to be returned to the State, under a contract with him for a return of bonds, as reported by the undersigned to the legislature of 1841–'42; and was deposited in the Madison Savings Institution, from which the undersigned was not able to realize the amount or any part thereof; that institution having entirely failed so that the undersigned had to take notes for the most part thereof, which proved worthless to him and are wholly lost.

The $14,000 of bonds for which the undersigned has given his note was lost as follows: The Madison Bond Company gave to the undersigned, while he was fund commissioner, $8,000 of Newburyport money, in payment in part for an amount due from them to the State. The Newburyport Bank failed while this money was on hand and the successor of the undersigned refused to take it from him, and for fear of having to lose the whole amount, he sold it at about twenty cents to the dollar, and took in payment therefor the note of an individual thought at the time to be good; but before collection could be made of him, he failed and the amount is wholly lost to the undersigned. For this $8,000 so lost to the undersigned, he gives to the State nine bonds of $1,000 each.

The other five bonds which, added to the other nine above mentioned make the $14,000 of bonds for which his note is given, were bonds sent by the Newburyport Bank to Drew, Robinson, & Co., for the use of the Madison Company, to be returned to the State.—Drew, Robinson, & Co., sold these bonds and applied the proceeds to the credit of the undersigned against his indebtedness to them on promises made to indemnify them for all losses sustained by them in carrying the loans and doing the business of the State.

The undersigned therefore pays your honorable body to give this, his memorial, a place on your Journals, as an explanation of the reasons why he has given these notes to the State, and to show that he is not a voluntary defaulter by using the funds of the State of Indiana.

Very respectfully.
MILTON STAPP.

Mr. Keimer, from a select committee, made the following report:

MR. SPEAKER:

The select committee to whom was referred the petition of sundry citizens of the county of Blackford, praying a change in the mode of selecting petit jurors, have had the subject matter under consideration, and have directed me to report the following bill and recommend its passage;

No. 217. A bill to change the mode of selecting petit jurors in Blackford county;

Which was read a first time and passed to a second reading on tomorrow.

Mr. Garrett, from a select committee, made the following report:

MR. SPEAKER:

The select committee, to whom was referred the petition of Saml. Stout and others, praying that a portion of the county of Sullivan might be attached to the county of Vigo, have had that subject under consideration, and have directed me to report that they deem it inexpedient to legislate on that subject at this time, and ask to be discharged from the further consideration thereof;

Which report was concurred in by the House, and the committee discharged from the consideration thereof.

Mr. Gorman, from a select committee, made the following report:

MR. SPEAKER:

The select committee, to which was referred the petition of divers and numerous citizens of Monroe county, praying for the increase of the salary of the county auditor of that county, have had the same under consideration, and directed me to report, that owing to the great increase of labor, which the management of all the school funds and other trust funds, have imposed upon him since the reduction of his salary, and the growing importance of that office to the public interest, imperiously demands that he, at least, should be put upon the same common level with nearly all other officers of a like kind in this State. He now stands in the row with some 7 or 8 county auditors, at a reduced salary, performing all the duties faithfully; while 75 or 80 other

counties receive the pay originally given to officers of this kind; this special legislation that frowns upon one man and smiles upon another is unjust; those at least are the arguments that would seem to be dictated by justice and right; your committee would further state, that they have delayed this report until this late period in the session, for the purpose of giving the people of Monroe county an opportunity of remonstrating if they felt like it; but they have said by their silence (although the subject has been fully discussed there,) that they acquiesced in the move of the petitioners, who seem numerous and respectable; they therefore recommend the passage of the following bill:

No. 218. A bill in relation to the county auditor of Monroe county; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Allen of L., from a select committee, made the following report:

Mr. Speaker:

The select committee, to whom was referred the petition of sundry citizens of school district No. 5, in township No. 37 north, of range No. 3 west, have had the same under consideration, and have directed me to report the following bill and respectfully request its passage:

No. 219. A bill in relation to school district No. 5, in township 37 north, of range 3 west, in Laporte county; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Robbins, from a select committee, made the following report:

Mr. Speaker:

The select committee, to whom was referred a resolution of this House to enquire into the expediency of making the road tax on real estate more uniform, have had the subject under consideration, and directed me to report the following bill and recommend its passage:

No. 220. A bill making the road tax on land in the counties of Fulton, Marshall, White, Pulaski, Jasper, Benton, and Stark, uniform, and for other purposes; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Foley, from a select committee, made the following report:

Mr. Speaker:

The select committee, to which was referred bill of the Senate No. 63, fixing the times of holding circuit courts in the counties in the fifth judicial circuit, have had the same under consideration, and have directed me to report the same back without amendment, and recommend the passage thereof;

No. 63. Of the Senate, in the said report mentioned, was Read the third time and passed.

Ordered, That the clerk inform the Senate thereof.

Mr. Morgan, from a select committee, made the following report:

MR. SPEAKER:

The select committee, to which was committed a bill of the House, No. 164, entitled "A bill more clearly defining the eastern boundary of Rush county," have had that subject under consideration, and respectfully report, that by a reference to the revision of 1843, chapter 2, section 90, they find that said section reads as follows, to-wit;

"When any boundary line of any county is described as running east, west, north, or south, from any point, in any range, township, or section line, such boundary shall be deemed to run with and along such range, township, or section line, unless the contrary is obviously intended."

This section covering the whole ground of the bill, it is unnecessary to legislate on the subject, they therefore recommend its indefinite postponement, and ask to be discharged;

Which report was concurred in, and the said bill therein named indefinitely postponed.

Mr. Morgan also made the following report:

MR. SPEAKER:

The select committee to which was referred a bill of the House, No. 163, entitled "A bill regulating the fees of clerks of the circuit courts, in certain cases," have had the same under consideration, and instructed me to report, that any legislation on the subject is unnecessary, and ask the indefinite postponement of the bill, and that the committee be discharged from the further consideration thereof;

Which report was concurred in, and the said bill therein named was indefinitely postponed.

Mr. Macy, from a select committee, made the following report:

MR. SPEAKER:

The select committee, to whom was referred a bill of the House, No. 24, entitled "An act to amend an act to incorporate the Lawrenceburgh and Napolean turnpike company," approved February 18, 1840, have had the same under consideration, and directed me to strike the same out from the enacting clause, and report the following amendment:

The amendment of the committee, to bill

No. 24. In said report mentioned was concurred in by the House,

and the said bill ordered to be engrossed for a third reading on to-morrow.

Mr. Matheny, from committee on ways and means, made the following report, leave being granted therefor:

MR. SPEAKER:

The committee of ways and means, to which was referred bill No. 77, on the subject of a re-valuation of the property of this State, have had that subject under consideration, and have directed me to report the bill back and recommend its passage;

Mr. Simonson moved to indefinitely postpone No. 77, in the said report mentioned;

Which motion passed in the affirmative.

Mr. Tevis moved to re-consider the vote just taken on the indefinite postponement of bill No. 77;

After discussion had thereon,

Mr. Norvell moved the previous question;

Which was seconded.

And the question being,

Shall the main question be now put?

It was decided in the affirmative.

The main question was then put, to-wit:

Shall said vote be re-considered;

And the ayes and noes having been demanded by Messrs. Tevis and Barbour:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Barbour, Bowles, Chambers, Chapman, Cuppy, Edger, Edmonston, Ferry, Gilbert, Gorman, Gregory, Lee of Jeff., Matheny, McConnell, Mickle, Miller of Crawford, Montague, Mooney, O'Neal, Parker, Rich, Tevis, and Wright—28.

Those who voted in the negative are,

Messrs. Allen of Putnam, Athon, Barrett, Bearss, Blakemore, Boone, Burton, Byers, Clark of Hamilton, Clark of Tippecanoe, Coffin, Conner, Cowen, Dowling, Elder, Engle, Foley, Ford, Forseman, Fuller, Garrett, Handy, Hannah, Hardin, Harris, Harrison, Helwig, Hiatt, Hodges, Holloway, Hostetter, Huddleston, Hurlbut, Jones of Fountain, Jones of Franklin, Keimer, Kelly, Kerr, Lee of Posey, Logan of Pike, Logan of Washington, McAlister, McClure, McDonald, McRae, Miller of Vanderburgh, Montgomery, Moore, Morgan, Nees, Norvell, Nutter, Palmer, Reed, Robbins, Saffer, Seller, Shelby, Simonson,

Simpson, Smith, Spicknall, Turman, Verbrike, Williams, Williamson, Wolfe, Woolman, and Mr.Speaker—66.

So said vote was not re-considered.

RESOLUTIONS OF THE HOUSE.

On motion of Mr. Simonson,

Resolved, That the committee on ways and means be instructed to enquire into the expediency of repealing or modifiying so much of the laws regulating the revenue and taxation as reserves to each individual one hundred and twenty-five dollars in value of property exempt from taxation.

On motion of Mr. Hiatt,

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of so arranging the time of holding circuit courts in the several counties of the third judicial district, as to allow Ripley county a term of two weeks, and report by bill or otherwise.

On motion of Mr. Edmonston,

Resolved, That this House will, from and after Wednesday next, at half-past two o'clock P. M., proceed to the orders of the day unless dispensed with by a vote of two-thirds of the House.

On motion of Mr. Tevis,

Resolved, That the judiciary committee enquire whether by the existing laws, any provision is made for relief in cases when property is assessed too high, and if not, that they be instructed to enquire into the expediency of making suitable provisions on that subject, and report by bill or otherwise.

On Motion of Mr. Parker,

Resolved, That the use of this Hall be granted Dr. McMasters, President of the Hanover College, to deliver a lecture this evening on the subject of education, it being at the request of the Senate committee on education.

Mr. Blakemore offered the following resolution:

Resolved, That the judiciary committee enquire into the expediency of so amending the law relative to arbitrations, as to enable either party, in suits commenced before justices of the peace, when the amount in controversy does not exceed twenty dollars, to force the opposing party into arbitration.

Which was not adopted.

Mr. Ford offered for adoption the following preamble and resolution:

WHEREAS, much deserved importance is placed upon the beneficial tendency of education, in promoting the welfare and happiness of the human family; and

WHEREAS, the accumulation of funds for the purposes of common school education, has been such that its benefits are being diffused throughout every neighborhood in the State; and

Whereas, no provisions have been heretofore made to dispense this blessing to any portion of the unfortunate African among us; towards whom the most common feelings of humanity and philanthropy should dictate that some degree of the lights of intelligence should be imparted; therefore

Resolved, That the committee on education be and they are hereby instructed to enquire into the expediency of so amending the school laws as to direct the trustees of any township in this State, (if there shall be at the time of the passage of said law, resident in said township, a sufficient number of negroes to warrant the same,) to organize one or more schools for the education of negro children, and for this purpose, set apart a sufficient proportion of the school fund of said township for that purpose, with leave to report by bill or otherwise;

Which was

On motion,

Laid on the table.

On motion of Mr. Logan of W.,

Resolved, That the committee on education be instructed to enquire into, and report by bill or otherwise, what amendments are necessary to be made to the school laws so as more effectually to secure to the weak districts, their due proportion of the school funds.

On motion of Mr. Jones of F.,

Resolved, That the committee on education enquire into the propriety of declaring by law, the common school house in each county in this State, county seminaries, provided each common school house so established, shall have a school kept in it, at least three months in each year thereafter; to report by bill or otherwise.

On motion of Mr. Edger,

Resolved, That the judiciary committee be instructed to enquire into the expediency of so amending the laws, that whenever any person or persons voluntarily appear before a justice or grand jury and procure a prosecution and the said prosecution fails, the said person or persons shall in that case pay the cost thereof.

On motion of Mr. Norvell,

Resolved, That the commissioner on the Central canal report to this House in what way the enormous sum of money was expended on said canal in 1842; that he sets forth in detail, the various items of work for which said money was expended.

And, also, that said commissioner give in his annual report for 1843 all the items for which money is paid arising from the proceeds of said canal.

Mr. Norvell, on leave obtained, introduced

No. 221. A bill supplemental and amendatory to an act entitled "An act to provide for the reduction of the State and individual stock in the State Bank, and for other purposes," approved Feb. 2d, 1843; which was

Read a first time and passed to a second reading on to-morrow.

On motion,

The House adjourned till half-past eight o'clock to-morrow morning.

WEDNESDAY MORNING, JAN. 3, 1844.

The House met pursuant to adjournment; and

On motion of Mr. Edmonston,

A call of the House was ordered;

On the call the absentees were Messrs. Allen of L., Allen of P., Barbour, Barrett, Bearss, Cuppy, Ferry, Ford, Fuller, Gilbert, Gorman, Hannah, Halbert, Hardin Harrison, Hobbs, Huddleston, Hurlbut, James, Jones of Franklin, Lee of P., Macy, Miller of C., Montgomery, Moore, Nees, Norvell, O'Neall, Reed, Robbins, Roberts of L., Roberts of P., Seller, Shelby, Simonson, Spicknall, Turman and Verbrike.

On motion of Mr. Hodges,

Mr. Hobbs was excused on account of sickness; then

On motion,

The further call of the House was suspended.

PETITIONS WERE PRESENTED.

The Speaker laid before the House of Representatives, the petition of citizens of Carroll county on the subject of reducing the expenses of the State government;

Which was read,

And referred to the judiciary committee.

By Mr. Williams,

Of Joseph Somes and others, for the improvement of the Wabash river, which was referred to the committee on federal relations.

By Mr. Wolfe,

The remonstrance of citizens of Floyd county, in relation to the purity of elections in said county;

Which was read,

And referred to the committee on elections.

Mr. Barbour moved to take from the table bill No. 71, in relation to the same subject;

Which motion prevailed;

And then the same was re-committed to the committee on elections.

By Mr. Roberts of P.,

Of sundry citizens of Putnam county praying to vacate a part of a State road;

Which was referred to a select committee of Messrs. Roberts of P., Allen of P., and Fuller.

By Mr. Gregory,

Of sundry citizens of Warren county praying a charter of a company to construct a side-cut or central canal in the county of Fountain, opposite the town of Independence, in the county of Warren;

Which was referred to a select committee of Messrs. Gregory, Jones of Fountain, Harrison, Seller, and McConnell.

By Mr. Jones of Fountain,

Of sundry citizens of Fountain county, praying the charter of a company to construct a side-cut canal in the county of Fountain, opposite the town of Independence, in Warren county;

Which was referred to the same select committee.

By Mr. Gilbert,

Of citizens of Delaware and Henry counties praying the establishment of a State road as therein named;

Which was referred to a select committee of Messrs. Gilbert, Morgan, and Nutter.

By Mr. O'Neall,

Of sundry citizens of Green county, praying the continuance of the valuation law, and for the suspension of the sale of lands in said county for the non-payment of taxes;

Which was

On motion,

Laid on the table.

By Mr. Cowen,

Of sundry citizens of Elkhart and Kosciusko counties on the subject of Mill dams and water power;

Which was referred to the committee on the judiciary.

By Mr. Gilbert,

Of Morgan John and others, praying the appointment of commissioners to re-locate a certain State road therein named.

Which was referred to a select committee of Messrs. Gilbert, Morgan, and Nutter.

By Mr. Nees,

Of Samuel Miles, praying for relief as administrator of the estate of Matthew Phipps, deceased, of Clay county;

Which was referred to the judiciary committee.

Also, of Lewis Fortner and others, praying a change in a certain State road in Clay county;

Which was referred to a select committee of Messrs. Nees, Shelby and Kerr.

By Mr. Handy,

Of citizens of the town of Blackhawk, praying the change of the name of the town of Blackhawk to that of Mount Aurburn;

Which was referred to a select committee of Messrs. Handy, Bearss and Burton;

By Mr. Athon,

Of Joseph E. Moore praying relief;

Which was referred to a select committee of Messrs. Athon, Tevis and McClure.

By Mr. Cuppy,

The remonstrance of citizens of Whitley and Kociusko counties, against the passage of a law vacating a certain State road therein named;

Which was referred to the committee on roads.

Also, the petition of citizens of Whitley county on the subject of the election of supervisors of roads;

Which was referred to the committee on roads.

By Mr. Gorman,

Of sundry citizens of Monroe county on the subject of a deaf and dumb asylum;

Which was referred to the committee on education.

Also, of citizens of Owen, Monroe, Brown, and Bartholomew counties for a State road;

Which was referred to select committee of Messrs Gorman, Moore and Barbour.

By Mr. Verbrike,

The remonstrance of citizens of Hendricks county, against the passage of a bill for relief of Edward Strange and William H. Darnal;

Which was

On his motion,

Laid on the table.

REPORTS FROM STANDING COMMITTEES.

Mr. Bowles, chairman of the committee of ways and means, made the following report:

Mr. Speaker:

The committee of ways and means, to which was referred a bill of the House No. 204, to amend an act entitled "An act to authorize the issue of five dollar Treasury notes, have according to order, had that subject under consideration, and in obedience to the instructions of the House, directed me to report the same with one amendment to it: strike out from the enacting clause and insert as a substitute, the bill herewith submitted, and respectfully ask to be discharged from the further consideration of that subject.

From which Messrs. James, Reed, Mooney, Lee of P., Matheney, Gorman, and Bowles dissent.

Which amendment of the committee is as follows:

Sec. 1. *Be it enacted by the General Assembly of the State of Indiana*, That the Treasurer of State be, and he is hereby authorized and required to negotiate or contract a loan not exceeding seventy-five thousand dollars in amount, with the Branch or Branches of the State Bank of Indiana, individual or individuals, or any moneyed institution, to run for a term not to exceed two years, and at a rate of interest not exceeding six per cent. per annum.

Sec. 2. That in the event said loan cannot be obtained agreeable to the provisions of this act, it shall, and is hereby made the duty of the Treasurer, to issue warrants to meet the demands on the Treasury for the current year, bearing interest at the rate of six per cent. per annum.

Sec. 3. This act to take effect and be in force from and after its passage.

Mr. Gorman then moved to amend the amendment as reported by the committee, as follows:

Strike out from the enacting clause and insert this:

"*Be it enacted by the General Assembly of the State of Indiana*, That the Treasurer of State be, and he is hereby authorized to negotiate a loan with the State Bank of Indiana, not to exceed in amount seventy-five thousand dollars, in bankable funds, to run for two years, and for the purpose of securing the said Bank, said Treasurer hypothecate an equal amount of Treasury Notes to the Bank, of any of the former issues, except the one-fourth of one per cent. notes. That in the event said Bank shall be compelled for her own security, to use any part thereof, she shall not be allowed to count for her own benefit any of the back interest thereon.

Sec. 2. That said Bank shall be authorized to receive by quarterly instalments from the State Treasury, any moneys that may come into the same, from any source whatever, except the interest upon any and all the school and college funds, and other funds set apart for the purposes of education.

Sec. 3. That the loan hereby authorized to be made from the Bank, when effected, the first advancement made by the Branch at Indianapolis, shall be paid immediately to meet the present emergency, and that said Branch shall be authorized to draw her portion of said advancement first, from the Treasury, and the next payment to be made equally among the Branches making the loan."

And the ayes and noes having been demanded by Messrs. Gorman and Bowles:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Allen of Putnam, Athon, Barbour, Boone, Burton, Byers, Chambers, Chapman, Clark of Hamilton, Clark of Tippecanoe, Conner, Cowen, Cuppy, Edger, Elder, Engle, Ford, Fuller, Gorman, Gregory, Handy, Hannah, Hardin, Harris, Harrison, Helwig, Holloway, Hostetter, Huddleston, Jones of Fountain, Jones

of Franklin, Keimer, Kelly, Lee of Jefferson, Lee of Posey, Logan of Washington, McAlister, McClure, McConnell, McDonald, Mickle, Miller of Crawford, Miller of Vanderburgh, Montague, Montgomery, Mooney, Morgan, Norvell, Nutter, O'Neal, Palmer, Parker, Reed, Robbins, Seller, Shelby, Simpson, Smith, Spicknall, Tevis, Turman, Verbrike, Williamson, Wolfe, Woolman, Wright, and Mr. Speaker. —68.

Those who voted in the negative are,

Messrs. Barrett, Bearss, Blakemore, Bowles, Coffin, Dowling, Edmonston, Ferry, Foley, Forseman, Garrett, Gilbert, Hiatt, Hodges, Hurlbut, Kerr, Logan of Pike, Matheny, McRae, Moore, Nees, Rich, Roberts of Putnam, Saffer, Simonson, Sutherland, and Williams. —27.

So the amendment as proposed by Mr. Gorman, to the reported amendment of the committee was adopted.

Mr. Simonson moved to further amend the amendment of Mr. Gorman by adding the following section:

Sec. 4. That in the event said loan cannot be obtained agreeable to the provisions of this act, it shall, and is hereby made the duty of the Treasurer to issue warrants to meet the demands on the Treasury, for the current year, bearing interest at the rate of six per cent. per annum.

And the ayes and noes having been demanded by Messrs. Simonson and Roberts of P.:

Those who voted in the affirmative are,

Messrs. Allen of Putnam, Athon, Boone, Chapman, Cuppy, Edger, Edmonston, Engle, Ferry, Forseman, Fuller, Handy, Hannah, Hiatt, Keimer, Lee of Jefferson, Lee of Posey, Logan of Pike, Logan of Washington, McAlister, McClure, McConnell, Miller of Vanderburgh, Moore, Morgan, O'Neal, Palmer, Shelby, Simonson, Sutherland, Williams, and Wright—32.

Those who voted in the negative are,

Messrs. Allen of Laporte, Barbour, Barrett, Bearss, Blakemore, Bowles, Burton, Byers, Chambers, Clark of Hamilton, Clark of Tippecanoe, Coffin, Conner, Cowen, Dowling, Elder, Foley, Ford, Garrett, Gilbert, Gorman, Gregory, Harris, Harrison, Helwig, Hodges, Holloway, Hostetter, Huddleston, Hurlbut, Jones of Fountain, Jones of Franklin, Kerr, Matheny, McDonald, McRae, Mickle, Miller of Crawford, Montague, Montgomery, Mooney, Nees, Norvell, Nutter, Parker, Read, Rich, Robbins, Roberts of Putnam, Saffer, Seller,

Simpson, Smith, Spicknall, Tevis, Turman, Verbrike, Wolfe, Woolman and Mr. Speaker—46.

So said proposed amendment was not adopted.

The question then recurring on the adoption of the amendment of the committee as amended by the proposition of Mr. Gorman;

And the ayes and noes being demanded by Messrs. Moore and Roberts of P.:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Allen of Putnam, Athon, Barbour, Boone, Burton, Byers, Chambers, Chapman, Clark of Hamilton, Clark of Tippecanoe, Conner, Cowen, Cuppy, Dowling, Edger, Elder, Ford, Fuller, Gorman, Gregory, Handy, Hardin, Harris, Harrison, Helwig, Holloway, Hostetter, Huddleston, Jones of Fountain, Jones of Franklin, Keimer, Kelly, Lee of Jefferson, Lee of Posey, Logan of Washington, McAlister, McClure, McConnell, McDonald, Mickle, Miller of Crawford, Miller of Vanderburgh, Montague, Montgomery, Mooney, Morgan, Nutter, O'Neal, Palmer, Parker, Reed, Robbins, Seller, Shelby, Smith, Spicknall, Sutherland, Tevis, Turman, Verbrike, Williamson, Wolfe, Woolman, Wright and Mr. Speaker.—66.

Those who voted in the negative are,

Messrs. Barrett, Bearss, Blakemore, Bowles, Coffin, Edmonston, Engle, Ferry, Foley, Forseman, Garrett, Gilbert, Hannah, Hiatt, Hodges, Hurlbut, Kerr, Logan of Pike, Matheny, McRae, Moore, Nees, Norvell, Rich, Roberts of Putnam, Saffer, Simonson, Simpson, and Williams—29.

So the amendment as amended was concurred in.

The question then recurred,

Shall the bill be engrossed for a third reading on to-morrow?

And the ayes and noes having been demanded by Messrs. Roberts of P. and Edmonston:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Allen of Putnam, Barbour, Boone, Burton, Byers, Chambers, Chapman, Clark of Hamilton, Clark of Tippecanoe, Conner, Cowen, Edger, Elder, Ford, Fuller, Gorman, Gregory, Handy, Harris, Harrison, Helwig, Holloway, Hostetter, Huddleston, Jones of Fountain, Jones of Franklin, Keimer, Kelly, Lee of Jefferson, Lee of Posey, Logan of Washington, McAlister, McClure, McConnell, McDonald, Mickle, Miller of Crawford, Miller of Vanderburgh, Montague, Montgomery, Mooney, Morgan, Nutter, O'Neal, Palmer, Parker, Reed, Robbins, Seller, Smith, Spicknall, Tevis, Turman, Verbrike, Wolfe, Woolman, Wright and Mr. Speaker.—59.

Those who voted in the negative are,

Messrs. Athon, Barrett, Bearss, Blakemore, Bowles, Coffin, Dowling, Edmonston, Engle, Ferry, Foley, Forseman, Garrett, Gilbert, Hannah, Hardin, Hiatt, Hodges, Hurlbut, James, Kerr, Logan of Pike, Matheny, McRae, Moore, Nees, Norvell, Rich, Roberts of Putnam, Saffer, Shelby, Simonson, Simpson, Sutherland, Williams and Williamson—36.

So the bill was ordered to be engrossed for a third reading.

Mr. Gorman moved that the rule be suspended and the bill be read a third time now;

And the ayes and noes having been demanded by Messrs. Roberts of P. and Garrett:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Athon, Barbour, Barrett, Burton, Byers, Clark of Hamilton, Coffin, Conner, Cowen, Edger, Elder, Ford, Fuller, Gilbert, Gorman, Gregory, Handy, Hardin, Harris, Helwig, Hostetter, Huddleston, Jones of Fountain, Jones of Franklin, Keimer, Kelly, Lee of J., Lee of P., Logan of Washington, McAlister, McConnell, McDonald, Mickle, Miller of Crawford, Miller of Vanderburgh, Montague, Montgomery, Mooney, O'Neal, Palmer, Parker, Robbins, Seller, Smith, Tevis, Turman, Wolfe, Woolman, Wright, and Mr. Speaker—51.

Those who voted in the negative are,

Messrs. Allen of Putnam, Bearss, Blakemore, Boone, Bowles, Chambers, Chapman, Clark of Tippecanoe, Cuppy, Edmonston, Engle, Ferry, Foley, Forseman, Garrett, Hannah, Harrison, Hiatt, Hodges, Holloway, Hurlbut, Kerr, Logan of Pike, Matheny, McClure, McRae, Moore, Morgan, Nees, Norvell, Nutter, Reed, Rich, Roberts of Putnam, Safler, Shelby, Simonson, Simpson, Spicknall, Sutherland, Verbrike, Williams, and Williamson—43.

So the rule was not suspended.

REPORTS.

Mr. Parker, chairman of the judiciary committee, made the following report:

Mr. Speaker :

The judiciary committee, to which was referred bill No. 69, of the Senate, requiring the superintendent of the Wabash and Erie canal to give bond and take an oath of office, have had that matter under consideration, and find that the provisions of the bill are important and are now unprovided for; they therefore report the bill back without amendment and recommend its passage;

No. 69. Of the Senate, in the said report mentioned,

Was read the third time and passed.

Ordered, That the Senate be informed thereof.

Mr. McDonald, from the judiciary committee, made the following report:

Mr. Speaker:

The judiciary committee, to whom was referred a bill of the Senate No. 19, entitled "A bill extending the jurisdiction of justices of the peace," have had the same under consideration, and directed me to report it back to the House and recommend its passage.

Mr. Hannah moved to amend the bill No. 19, of the Senate, in said report mentioned, by extending the jurisdiction to justices of the peace in suits by, and against administrators, executors, and guardians;

Which did not prevail.

The said bill was then ordered to a third reading on to-morrow.

Mr. Barbour, from the committee on the judiciary, made the following report:

Mr. Speaker:

The committee on the judiciary, to which was referred a resolution instructing them to enquire whether there is any law in force allowing constables and other officers to have an execution for their benefit, in cases where they have become liable for the debt, and if not, to enquire into the expediency of reporting such a law, report, that there is no such law, and that in their opinion such law would be wholly inexpedient, and productive of much evil, since it would be made the occasion of much unjust litigation, and would be to remove almost the only security the community now have for the faithful discharge of duty by the officers referred to;

Which report was concurred in.

Mr. Conner, chairman of the committee on enrolled bills, made the following report:

Mr. Speaker :

The committee on enrolled bills, have examined the following enrolled with the engrossed bills of the House, and find them correctly enrolled, to-wit:

No. 41. An act to provide for the establishment of an additional place of holding elections in Vermillion county;

No. 55. An act to change the time of holding probate courts in Martin county;

No. 72. An act regulating elections in the counties of Adams and Jay;

No. 143. An act to legalize the sale of certain real estate of the minor heirs of James Whitaker, in the county of Noble;

No. 198. A bill to legalize the proceedings of the board of county commissioners of Green county;

No. 64. An act to restrict the assessment of n poll tax within the county of Spencer;

No. 131. A bill to amend the 4th article of the 16th chapter of the Revised Statutes of 1843, so far as relates to the county of Washington;

No. 16. An act in relation to the probate courts in Dubois county;

The committee have also examined the following enrolled joint resolutions, and find them correctly enrolled, viz:

No. 60. A joint resolution in relation to certain repairs on the bridge across White river, on the National road;

No. 93. A joint resolution in relation to a canal at the falls of the Ohio river;

No. 61. A joint resolution in relation to a Light-House at City West;

No. 149. A joint resolution in relation to a grant of land for the completion of the northern end of the Central canal;

Whereupon the Speaker signed said enrolled bills.

Ordered, That the clerk carry the same to the Senate for the signature of the President thereof.

On motion of Mr. McDonald,

The following report was taken from the table, which was made on yesterday, from the judiciary committee:

Mr. Speaker:

The majority of the judiciary committee, to whom was referred bill of the House, No. 133, entitled "A bill changing the application of water power at the St. Mary's aqueduct, on the Wabash and Erie canal," have had the same under consideration, and find that by the terms and provisions of the lease mentioned in said bill, that Samuel Edsall, assignee of said lease, has the use of an amount or quantity of

water sufficient to propel two saws by means of Parker's percussion or reaction wheel, for the term of fifty years, from and after the 23d day of November, 1836; and by another provision of the lease, the said amount or quantity of water cannot be used by the assignee for other purposes than those mentioned in the lease, without the consent of the State, or its agents; this bill proposes to grant to the said assignee the privilege of using said amount or quantity of water, or a portion thereof, for the propulsion of any kind of wheel or wheels, that he may construct in a grist or flouring mill, and the question arises whether such grant would be detrimental to the interests of the State, or to individuals who may hold rights under the State. It would seem to be undeniable from the terms of the lease, that the assignee of the lease, has an undoubted right to use a certain amount or quantity of water, under certain restrictions and limitations, in said lease mentioned, of which he cannot be deprived, and for which he must pay, whether he uses it or not, and if not so used as to directly injure the real or personal property of the State, or affect her interest in any way whatever, it is difficult to conceive why the right proposed to be granted in the bill should not be granted; and the majority of the committee are clearly of the opinion, that no right, property, or interest of the State will, or can be injured by said grant; the majority of the committee are also of opinion, that no individual rights, held under the State, or by contract therewith, will be injured by such grant, for it would seem from the best evidence adduced before the committee, that all other rights or contracts with the State, for the use of water at the St. Mary's aqueduct, are subsequent to that of the assignee, in said bill mentioned, and are all made subject to the before granted rights of said assignee; being satisfied, therefore, that no injury will result, either to the State or to individuals holding rights by grant, from the State, and that much benefit may be derived, not only to the State and the citizens thereof, but also to the assignee of said lease, the majority cannot conceive that it would comport either with the dignity or interest of the State, to play the part of the dog in the manger, neither enjoy the benefit himself, nor allow others to enjoy it; they have therefore directed me to report the bill back to the House, and recommend its passage, and ask to be discharged from the further consideration thereof.

Mr. Parker, in behalf of the minority of said committee, made the following counter report:

Mr. Speaker:

The undersigned being a minority of the judiciary committee to which was referred bill No. 133, of the House, providing for changing the application of certain water power at St. Mary's Aqueduct, dissent from the report of the majority of said committee, recommending the passage of said bill for various reasons, of which the following are a part:

The bill proposes altering the application of the water power, heretofore leased to Rockhill and Edsall, and now owned by Edsall alone. The substantial parts of the agreement as contained in the lease are as follows:

The State agrees to lease to the other party, for the term of fifty years from the 1st of Nov., 1837, so much of the surplus water of the Wabash and Erie canal at St. Mary's aqueduct, as will be sufficient, when properly applied on an over-shot wheel, with the proper gearing, to be approved by an authorized Agent of the State, to propel two saws, applied to sawing timber, together with the necessary apparatus for drawing the logs from the canal to the saws.—When the mill shall be in good order, and the two saws with the above apparatus in full operation, the quantity of water flowing to, and used by said mill, shall be accurately gauged by some competent engineer to be appointed by an authorized agent of the State, and the quantity of water then found necessary, shall be thereafter considered the amount leased; the second party paying $147 29 rent, for each saw, nine months in the year, and in like proportion for the time the water is furnished, the State reserving the right to resume the water for navigation &c. At the end of the agreement, the privilege is granted to the second party of using Parker's percussion and reaction wheel instead of the over-shot above required, upon the express condition, however, that the rent to be paid by said party, shall in that case be increased in exact proportion to the increase of the quantity of water required to propel the machinery above described. By the agreement, the second party is prohibited from using the water power, for any other purpose, without the consent of an authorized agent of the State &c. This consent has not been obtained in the form now asked, nor has the water even been gauged.

So long within the fifty years as said party may use the Parker wheel for sawing, they have a right to a sufficient quantity of water to propel two saws &c. If they should abandon the Parker wheel, and take the over-shot wheel, as first contemplated, and as they are now preparing to do, they will still be restricted to that quantity of water necessary to drive two saws &c., on the over-shot wheel.—The amount of power is to remain untouched, and the quantity of water is restricted to a sufficiency to run two saws &c., according to the kind of wheel used. The provision for gauging the water, is obviously not to ascertain the power, but to protect other leases, and the State from the use of more water, by imperfect machinery, and otherwise, than is necessary for the purposes specified in the contract.

The lease is not to be construed into an absolute grant of the entire quantity of water which it will take to propel the machinery requiring the greatest amount of water, which is the Parker wheel.—The contract is for an over-shot wheel, requiring a much less quantity of water, with the privilege of using the other wheel, by paying for the increase. The lease does not use the word "power," but in granting the water, it gives so much as is necessary to drive two

saws. It is a lease of a power sufficient to drive two saws, and not of a certain or definite quantity of water.

Suppose the State allows a change in the application of this power to be made, how much water will the other party be entitled to? The answer is obvious, just so much as would furnish power sufficient to drive two saws and the other specified machinery, and no more. In making the change the original contract is to be observed. If the change be made, and the other party should adopt the Parker wheel, they are entitled to a sufficiency of water to propel it. If they adopt the over-shot wheel, they are entitled to sufficient water to propel that, and that is all. The water must be guaged as contemplated in the original agreement. Suppose that in the application of the water to a flouring mill, the over-shot wheel should be used, which requires but half the quantity of water required for the Parker wheel, and such over-shot wheel should drive the same machinery which the Parker wheel with its increased quantity of water would drive, (and this we are assured, is the case in its application to a flouring mill,) would not said party, instead of two powers, obtain from the State four powers; if the quantity of water required by the Parker wheel, be assumed as the amount of water absolutely leased, it being a lease of power sufficient to propel two saws, and as the quantity of water is to be determined by the kind of wheel used, the second party in this case gets all he is entitled to by his contract, when he gets the amount of power guarantied to him by his lease; that is enough for two saws. Take another view of this case. Suppose Edsall had constructed an over-shot wheel, and had had the water guaged and endorsed on the contract, as therein provided, and he was now asking the legislature to permit him to change the application of the water to a flouring mill, according to the quantity it would take to propel the Parker wheel? Would not the legislature say to him, we cannot grant your petition, for you have all the power you bargained for, and we will not increase the power in violation of the agreement already made. The change is asked for the purpose of building a flouring mill, which we are credibly informed is now being erected, the machinery of which is to be propelled by an over-shot wheel. Take the construction of the lease for which Edsall contends, and he has a water power secured to him, at the low price for which he obtained the power to propel two saws, sufficient to propel four saws. But take the construction contended for by the undersigned, and he would have his power for driving two saws, all he contracted for, and the residue would remain to the State, to whom it properly belongs. There can be no objection on the part of the State, and we are assured there is none on the part of the subsequent lessees. to permit the water to be used for the purpose of flouring, but it is the duty of the State in consenting to the change to protect the interest which the people of the State have in the rent of her water power, and to secure the rights of others, which they may have acquired in the surplus water at the same point, especially as this can be done, without any injury to the parties in this case.

We cannot conceive that any rights have been acquired by the construction of a Parker wheel. It is not necessary to decide what would have been the effect on the contract, had the water been gauged, and endorsed on the contract, as therein specified, although we cannot conceive that this would have confined him to the wheel in use at the time, and there cannot be a question that Edsall may throw away one wheel, and use the other for driving his saws, just as his whim, caprice, or interest might dictate. The State having no power to hold him to any particular wheel, as the case stands; it necessarily follows that under the same state of facts, he has gained no right to demand the largest quantity of water, and thereby increase the extent of the power to which he is entitled under his lease. It might be just as well contended that having the privilege to the quantity of water necessary to propel two saws by the Parker wheel, he might apply this quantity to propel four saws by over-shot wheels, which would be absurd.

Since the execution of said lease, water power at the same point has been let to other individuals at $210 per run of stones, who looked at this previous lease, in the point of view above presented, as its obvious legal construction. They must have supposed that the power granted to Edsall, would not be increased, and made their contracts with the State accordingly. The subsequent lessees have vested rights in the water, which cannot be taken from them by any exercise of legislative authority. The State presents herself as a contracting party, and she has no right to alter or modify any contract she may make with an individual, so as to produce any infraction of the rights of others. That clause of the Constitution which prohibits all acts impairing the obligations of contracts, applies directly to this case,; and the undersigned hold it to be the only safe course, when there is any danger of interfering with conflicting rights of our citizens, to leave them to seek their remedy, before those tribunals which have been provided for the adjustment of all such questions.

It appears that during the last month, Edsall made application to the Secretary, Treasurer, and Auditor of State, to change the application of the water power granted to him, to a flouring mill; those officers being constituted by law a board of public works, to whom is committed the jurisdiction and duty of supervising and leasing the water power of the State, under existing laws. This board has decided this question, and it is on account of that decision that the present application is made to the legislature.

A copy of the decision of said board, and also their reasons, in writing, for their determination is hereto annexed, as a part of this report. While the board adopt the construction given to the lease, by the undersigned, they urge another reason, which it occurs to us, in these days in which such strenuous efforts are made at retrenchment and economy, should not be forgotten. The board state that the excess of water required to propel the Parker wheel, over that required for the over-shot wheel, as paid for by Mr. Edsall, and that for which it could now be let, is not less than three hundred dollars per year,

which for for forty-three years of the lease yet unexpired, would amount to $12,900 00. In presenting this point made by the board, the minority will state a fact connected with the original contract.—The agents on behalf of the State, who leased this water power in their advertisement of the letting, gave notice that water sufficient to drive two saws would be let, and that the plans of the structures, wheels, &c., would be published one week previous to the day of the letting, which was done accordingly, and the commissioner for the State made it known to the bidders that the kind of wheel required was an over-shot wheel; subsequent to the letting, and after Edsalls' bid had been accepted, the contract was so altered as to permit the use of the Parker wheel.

Edsall now asks the State to so enlarge this lease as to give him, without any consideration, over twelve thousand dollars. Said Edsall as to the power secured to him by the original contract, has a most advantageous bargain. Our State is borne down with debts, beyond her ability to pay. Our people are heavily taxed; and it does appear to us to be not only impolitic, but unjust to our creditors, and to the citizens of our State, to give away, with such a lavish hand, such an amount of water power, even if other contracting parties would not be affected in their rights by the interference of the legislature.

Viewing the whole subject as we do, and taking into consideration the fact that the constituted authorities of the State, whose duty it is to determine the matter, have given their decision under the sanction of their official oaths, against the principle embodied in this bill, we feel that it is due to the interests of the State, and to the rights of third parties, to object to its passage.

S. W. PARKER,
G. W. BLAKEMORE,
D. C. RICH.

INDIANAPOLIS, }
December 30th, 1843. }

Samuel W. Parker,

Chairman of the judiciary committee, House of Reps.:

SIR:—We have the honor to acknowledge the receipt of your note of this morning, requesting us to give in writing the reason which influenced our opinion and decision touching the application of Samuel Edsall, Esq., for a change in his lease of water power, in the vicinity of Fort Wayne.

We decided, as you will perceive, by a copy of our decision, herewith submitted, that Mr. Edsall might apply the water leased, to the purpose of grinding instead of sawing, restricting the application of the water to the over-shot wheel. The lease is for a quantity of water sufficient to propel two saws, upon an over-shot wheel of given dimensions, with permission to use a Parker wheel, by paying pro rata for the excess of water necessary to propel such a wheel, above that required for the over-shot wheel. Mr. Edsall has the right so long as he thinks proper to exercise it, to use the Parker wheel, by complying with the conditions of the lease, and can abandon that wheel at pleasure, and adopt the over-shot wheel for the purpose of sawing, but when he does so, he can only have the necessary water to propel two saws, that being the power leased. He cannot, however, under the terms of the lease, apply the power to an object different from that in the lease, without the assent of the State board, hence he makes his application. The board have no objection to the change desired, giving him the amount of power leased, but he wishes us to permit him to apply for the purpose of grinding upon an over-shot wheel, the same amount of water that is required to propel two saws, upon the Parker wheel. To this the board could not assent, because in their opinion, it would be contrary to the fair legal construction of the lease. And because the difference in the value of the excess of water required to propel the Parker wheel, over that required for the over-shot wheel, as paid for by Mr. Edsall, and that for which it can now be let, is not less than three hundred dollars per year. We arrive at the foregoing conclusion, upon the following data: We suppose that the water required to propel two saws, upon a given wheel, would propel three run of stones, (that being the lowest quantity fixed by practical men.) It is conceded by those who have any knowledge of the Parker wheel, that it will take at the very lowest estimate, double the quantity of water to drive such wheel, that would propel the same machinery upon the over-shot wheel, so that the water used by Mr. Edsall on the Parker wheel, is equal to six run of stones upon the over-shot wheel, being an excess of three run above that which the lease gives him upon the over-shot wheel. Mr. Edsall pays an annual rent of one hundred and forty-seven dollars and twenty-nine cents, for each saw, which would be according to our estimate, equal, in round numbers, to one hundred dollars for each run of stones, giving the State three hundred dollars a year, rent for three run of stones. We are of opinion, that that amount of power could now be leased at double that sum, being an excess of three hundred dollars a year, over what Mr. Edsall would pay, which for forty three years, the unexpired term of Mr. Edsall's lease, would amount to twelve thousand nine hundred dollars, and upon the supposition that the extra water is equal to four run of stones, which is even less than Mr. Edsall's own estimate, the loss to the State by complying with his request, would be seventeen thousand two hundred dollars. For these reasons we have decided that the power leased, to-wit: For two saws, and no more, should be applied on the over-shot wheel, to grinding.

In making this decision, we conceive we have done Mr. Edsall no injustice, as by it he gets all the power he leased upon either wheel, viz: the power for two saws.

Respectfully,
Your ob't. serv'ts.

Wm. SHEETS, Secretary.
M. MORRIS, A. P. A.
G. H. DUNN, Treasurer.

INDIANAPOLIS, }
December 19, 1843. }

Application being this day made to the undersigned, as the board of public works, by Samuel Edsall, Esq., of Fort Wayne, for permission to change the application of the water leased to him and William Rockhill, at the St. Mary's aqueduct, on the Wabash and Erie canal, from that of sawing to grinding, granting him the same quantity of water that he is now using upon the Parker wheel, we are unanimosly of the opinion, that upon a careful exanimation of the lease, that so soon as the use of the Parker wheel is discontinued, the authority to use the extra water necessary to propel such a wheel ceases, and that a due regard to the interest of the State, requires us, in assenting to a change in the application of the water to a purpose different from that in the lease, to annex a condition that the water be applied upon the over-shot wheel specified in the lease; the quantity of water being restricted to that originally contemplated to be applied on such a wheel, to-wit: power sufficient to propel two saws. We therefore have adopted the following resolution:

Resolved, That the assent of this board is given to Samuel Edsall to apply all or any portion of the power necessary to propel two saws upon the over-shot wheel specified in his lease, to the purpose of grinding grain on a wheel of like dimensions.

Wm. SHEETS, Secretary of State.
M. MORRIS, State Auditor.
G. H. DUNN, Treasurer.

Mr. Roberts of P., moved to amend the bill in the said report of the majority of the judiciary committee, by striking it out from its enacting clause, and insert the following:

"SEC. 1. *Be it enacted by the General Assembly of the State of Indiana*, That Samuel Edsall, the present owner of the water power leased at the St. Mary's aqueduct, on the Wabash and Erie canal, be, and he is hereby authorized to change the application of a part or the whole of the water power leased to him, to-wit: the power of two

saws, with the necessary apparatus, from sawing to grinding, the said Edsall applying the water to the best advantage, on an over-shot wheel agreeably to the provisions of his lease.

Sec. 2. That said Edsall shall at all times have the right subject to the restrictions contained in his lease, to draw from the canal and apply to flouring or other purposes, so much water in all as would create a power equal to the power of two saws, with the necessary apparatus, on an over-shot wheel, as provided in the lease.

Sec. 3. That so far as he may continue to use the water for sawing, he shall be entitled to use the Parker wheel, as is provided in his lease, and to draw from the canal the extra quantity required to drive this wheel, under the provisions of the lease.

Sec. 4. That it shall be the duty of the proper officers, who by law have charge of the water power of the State, to adopt the necessary measures to determine as early in the ensuing season as practicable, the quantity of water to which the said Edsall may be entitled to, on the over-shot wheel, as above specified."

Before any action was had thereon,

The House adjourned until half-past 1 o'clock P. M.

Half-past 1 *o'clock P. M.*

The House met.

The Speaker laid before the House a communication from the Auditor of State, containing the returns from the county treasurers of the following counties, to-wit: Hendricks, DeKalb, Henry, Green, Warrick, Blackford, Owen, Grant, Elkhart, Vermillion, and Jasper, on the subject of the fees and salaries received by the several county auditors, in their respective counties;

Which was,

On motion,

Referred to the committe on ways and means.

The following message was received from the Senate by Mr. Otto, their Principal Secretary:

Mr. Speaker:

The Senate has passed an engrossed bill of the House of Representatives, without amendment, of the following title:

No. 8. An act to organize a new county out of the county of Dearborn, and re-locate the county seat thereof.

The following message was received from the Senate by Mr. Otto, their Principal Secretary:

Mr. Speaker:

The Senate has passed an engrossed joint resolution thereof, to-wit:

No. 13. A joint resolution explanatory of an act entitled "An act for the relief of Jesse J. Burton and Joseph Luther," approved Feb. 2, 1843, and an act entitled "An act for the relief of Nathan Burchfield," approved Feb. 11, 1843, and for other purposes;

Also, an engrossed bill thereof,

No. 89. An act to incorporate the trustees of Madison University;

Also, an engrosed bill of the House of Representatives,

No. 18. An act for the protection of wild fruits growing on public lands, in the counties of Lake and Porter;

With four amendments;

In which engrossed amendments and bills of the Senate I am directed to ask respectfully the concurrence of the House.

No. 89. Of the Senate, in said message mentioned, was

Read a first and second times,

The rule being suspended therefor,

And referred to the committee on corporations.

No. 13. Of the Senate, in said message mentioned, was

Read a first time and passed to a second reading on to-morrow.

The amendments of the Senate to bill No. 18, of the House, were concurred in.

Ordered, That the clerk inform the Senate thereof.

The following message was received from the Senate by Mr. Otto, their Principal Secretary:

Mr. Speaker:

I am directed by the Senate to inform the House of Representatives that the Senate is now ready to proceed, with closed doors, to the election of President of the State Bank of Indiana.

On motion of Mr. Moore,

Said message was reciprocated.

Ordered, That the clerk inform the Senate thereof.

The House then, with closed doors, proceeded to the election of a President of the State Bank of Indiana, to fill the vacancy occasioned by the expiration of the term of service of Samuel Merrill, Esq.,

Messrs. McClure and Nutter acting as tellers.

On counting the first ballot it appeared that

Samuel Merrill received	46	votes.
James Morrison "	22	"
William Hendricks "	8	"
James White "	7	"
Abel C. Pepper "	3	"
Scattering,	13	"

No one having received a majority of all the votes given, the House proceeded to a second balloting, when

Samuel Merrill received	44	votes.
James Morrison "	37	"
Wm. Hendricks "	5	"
Jas. White "	5	"
Scattering	8	"

No one having received a majority of all the votes given, the House proceeded to a third balloting, when

James Morrison received	40	votes.
Samuel Merrill "	47	"
Wm. Hendricks, "	2	"
Jas. White "	3	"
Scattering	7	"

No person having received a majority of all the votes given, the House proceeded to a 4th balloting, when

Samuel Merrill received	42	votes.
James Morrison "	43	"
Wm. Hendricks "	3	"
Scattering	11	"

No gentleman having received a majority of all the votes given, the House proceeded to a fifth balloting, when

James Morrison received	50	votes.
Samuel Merrill "	41	"
Scattering	8	"

James Morrison, Esq., having received a majority of all the votes given, was, by the Speaker, declared duly elected on the part of the House, as President of the State Bank of Indiana.

Ordered, That the Senate be informed of the same by sealed message.

The following message was received from the Senate by Mr. Walpole, a Senator:

Mr. Speaker:

I am directed by the Senate to deliver to the House of Representatives the accompanying sealed message, in relation to the election of President of the State Bank of Indiana:

Mr. Speaker:

I am directed to inform this House that an election held by the Senate, in pursuance of a resolution of the Senate and House of Representatives, for the purpose of electing a President of the State Bank

of Indiana, to fill the vacancy of Samuel Merrill, whose term of service will expire during the present session of the General Assembly, on the ninth ballot, with closed doors, Samuel Merrill received a majority of all the votes given in the Senate, and therefore was declared duly elected on the part of the Senate, to serve as such for the term of five years, from and after the expiration of his present term of service.

W. T. OTTO, Sec. Senate.

The Senate and House having failed to elect, the House proceeded to a 6th balloting, when

Samuel Merrill	received	44 votes.
James Morrison	"	51 "
Scattering		4 "

James Morrison, Esq., having received a majority of all the votes given, was, by the Speaker, declared duly elected on the part of the House.

Ordered, That the Senate be informed thereof by sealed message.

The following message was received from the Senate by Mr. Walpole, a Senator:

MR. SPEAKER:

I am directed by the Senate to deliver to the House of Representatives a sealed message, in relation to the election of President of the State Bank of Indiana:

MR. SPEAKER:

I am directed to inform the House of Representatives, that at the second trial in the Senate, for the purpose of electing a President of the State Bank of Indiana, to fill the vacancy of Samuel Merrill, whose term of service will expire during the present session of the General Assembly, on the fourth ballot, with closed doors, Samuel Merrill received a majority of all the votes given in the Senate, and therefore was declared duly elected on the part of the Senate, to serve as such, for the term of five years, from and after the expiration of the term of service of the present incumbent.

W. T. OTTO, Sec. Senate.

The Senate and House having again failed to elect, the House proceeded to a seventh balloting, when

James Morrison	received	51 votes.
Samuel Merrill	"	6 "
Samuel Bigger	"	40 "
Scattering		2 "

James Morrison, Esq., having received a majority of all the votes given, was, by the Speaker, declared duly elected on the part of the House.

Ordered, That the Senate be informed thereof by sealed message.

The following message was received from the Senate by Mr. Otto, their Principal Secretary:

MR. SPEAKER:

I am directed by the Senate to deliver to the House of Representatives a sealed message, in relation to the election of President of the State Bank of Indiana:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that at the third trial for the purpose of electing a President of the State Bank of Indiana, to fill the vacancy of Samuel Merrill, whose term of service will expire during the present session of the General Assembly, on the fourth ballot, with closed doors, Samuel Merrill having received a majority of all the votes given, was declared duly elected on the part of the Senate, President of the State Bank of Indiana, to serve as such for the term of five years, from and after the expiration of the term of service of the present incumbent.

W. T. OTTO, Sec. Senate.

The Senate and House having again failed to elect,

Mr. Gorman offered for adoption the following preamble and resolution:

WHEREAS, the House of Representatives have made three unsuccessful separate ballotings for President of the State Bank of Indiana, without agreeing with the Senate; therefore

Resolved, That the Senate be invited to attend instanter in the Hall of the House of Representatives, for the purpose of proceeding by joint ballot to the election of a President of the State Bank, and that seats be provided for them on the right of the Speaker's chair;

Which was adopted.

Thereupon, the Senate came into the Hall of the House and took their seats on the right of the Speaker's chair, the President of the Senate on the right of the Speaker, and the convention proceeded to a first balloting for President of the State Bank of Indiana, on counting which, it appeared that

Samuel Merrill received	69	votes.
Jas. Morrison "	68	"
Scattering	10	"

No candidate having received a majority of all the votes given, the convention proceeded to a second balloting, when

Samuel Merrill	received	70 votes.
Jas. Morrison	"	71 "
Scattering		7 "

No person having received a majority of all the votes given, the convention proceeded to a third balloting, when

James Morrison	received	74 votes.
Samuel Merrill	"	71 "
Scattering		3 "

No gentleman having received a majority of all the votes given, the convention proceeded to a fourth balloting, when

James Morrison	received	77 votes.
Samuel Merrill	"	67 "
Scattering		2 "

James Morrison, Esq., having received a majority of all the votes given, was by the President of the Senate, in presence of both Houses, declared duly elected President of the State Bank of Indiana, to serve as such for the term of five years, from and after the expiration of the term of service of the present incumbent.

The President of the Senate then adjourned the convention *sine die*.

The Senate then retired.

Then, on motion,

The House adjourned until to-morrow morning half-past 8 o'clock.

THURSDAY MORNING, JAN. 4, 1844.

The House met pursuant to adjournment.

PETITIONS WERE PRESENTED.

By Mr. Mooney,

Of Abraham Love and others, asking relief from the county treasury, for moneys unjustly collected;

Which was referred to a select committee of Messrs. Mooney, Helwig, and Bowles.

By Mr. Lee of P.,

Of citizens of Posey county, for relief of Turner Nelson;

Which was referred to a select committee of Messrs. Lee of P., Edger, Verbrike, Smith, and Montague.

By Mr. Sutherland,

Of Geo. Huston, *et. al.* to restore the school fund to school commissioner of Marion county;

Which was referred to the committee on education.

By Mr. Edger,

Of citizens of Randolph county, praying for the assessment of a tax on land for road purposes;

Which was referred to a select committee of Messrs. Edger, Ford, and Mickle.

By Mr. Simpson,

Of citizens of Fayette county, praying that voters may be confined to their own townships;

Which was referred to the committee on elections.

By Mr. Boone,

Of citizens of Boone county, on the subject of a state road therein named; and

On motion of Mr. Boone,

Two other petitions on the same subject were taken from the table, and together with the above were referred to the committee on roads.

By Mr. Ferry,

Of Theodore Brackenridge and others, praying relief for the injury of property in the construction of the White Water canal;

Which was referred to the committee on claims.

By Mr. James,

Of citizens of Dearborn county, in relation to the legalization of the sale of certain lands;

Which was referred to the committee on the judiciary.

By Mr. Harrison,

Of citizens of Montgomery county, for slack-water navigation of Sugar creek;

Which was referred to a select committee of Messrs. Harrison, Seller, Gregory, Jones of F., and Blakemore.

By Mr. Wright,

Of citizens of Switzerland county, on the subject of the county auditor giving an additional bond, &c.;

Which was referred to a select committee of Messrs. Wright, Miller of C., and Miller of V.

By Mr. Wolfe,

Of citizens of Floyd county, praying that the office of county auditor might be abolished in said county;

Which was read and referred to a select committee of Messrs. Wolfe, Gorman, and Morgan.

By Mr. Jones of Fountain,

Of Michael McCall, for relief as therein named;

Which was referred to a select committee of Messrs. Jones of Fountain, McClure, and Gregory.

By Mr. Gorman,

Of Robert Harrison, in relation to the purchase of certain lands therein named;

Which was referred to the committee on the judiciary.

By Mr. Bowles,

Of citizens of the counties of Orange and Martin, on the subject of the navigation of Lost river;

Which was,

On motion,

Laid on the table.

The previous order of business was suspended that Mr. McClure might make the following report:

Mr. Speaker:

The committee on corporations, to which was referred a bill of the Senate, No. 89, entitled "A bill to incorporate the trustees of Madison University;" have had that subject under consideration, and have directed me to report the same back to the House without amendment, and recommend its passage.

When Mr. Chapman moved to amend the said bill in said report mentioned, by striking out "two-thirds," and insert "a majority;"

Which motion did not prevail.

The said bill was then read the third time.

And the question being,

Shall the bill pass?

And the ayes and noes having been demanded by Messrs. Chapman and Clark of H.:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Allen of Putnam, Athon, Barbour, Barrett, Blakemore, Boone, Bowles, Burton, Byers, Conner, Cuppy, Dowling, Edger, Edmonston, Elder, Ferry, Ford, Fuller, Gilbert, Gorman, Handy, Hannah, Hardin, Harris, Harrison, Helwig, Hiatt, Hodges, Holloway, Hostetter, Huddleston, Hurlbut, James, Jones of Fountain, Jones of Franklin, Kelly, Kerr, Lee of Jefferson, Logan of Pike, Macy, McClure, McConnell, McDonald, Miller of Vanderburgh, Montague, Montgomery, Mooney, Morgan, Nees, Norvell, Nutter, Palmer, Parker, Reed, Rich, Roberts of Laporte, Seller, Shelby, Simpson, Sutherland, Tevis, Verbrike, Williams, Williamson, Wolfe, and Woolman—67.

Those who voted in the negative are,

Messrs. Chambers, Chapman, Clark of Hamilton, Clark of Tippecanoe, Coffin, Cowen, Garrett, Gregory, Halbert, Keimer, Lee of Po-

sey, Logan of Washington, Matheny, McAlister, McRae, Miller of Crawford, Moore, O'Neal, Robbins, Roberts of Putnam, Smith, Spicknall, Turman, Wright and Mr. Speaker.—25.

So the bill passed.

Ordered, That the clerk inform the Senate thereof.

Mr. Barbour, chairman of the committee on elections, made the following report:

MR. SPEAKER:

The undersigned, a majority of the committee on elections, to which was referred a resolution of the House, instructing them to enquire into the truth of certain allegations against Samuel N. Woolman, a member of this House, whereby the said Woolman was charged with being a defaulter to the State of Indiana, in certain public funds, make the following

REPORT:

That your committee have given their candid and mature consideration to all the testimony having relation to this matter, to which they have had access, all which is herewith submitted. At an early day, your committee came in possession of the last annual report of the Auditor of State, on page 116, of which is found a report of John Gilbert, auditor of Grant county, dated October 23, 1843, which holds the following language:

"The second school commissioner, (Samuel N. Woolman,) by the books, has not accounted for interest to the amount of $469 90; part of this amount, I believe, he has collected, as there have been receipts filed with me, of which there was no entry on the books, and part he has not collected, but which was due, and should have been paid before he resigned, in August last, therefore he was charged with it till it should be collected; some of it has been collected, for which he has received a credit. Mr. Woolman paid over $179 31 to the present school commissioner, therefore his deficit is $1,036 60½, including the interest not accounted for."

This statement being official, might reasonably have been thought sufficient to warrant a report upon this subject. Your committee regarded it, standing unrebutted, as sufficient and would have reported immediately thereon, but that a minor portion of that committee regarding the gravity and importance of the charges against Mr. Woolman, and conceiving the evidence of too slight a character, to convict of so high and aggravated a crime, proposed to procure a direct and more specified report from the auditor of said county, in relation to this matter. To this proposition the committee acceded to save dissatisfaction, and give Mr. Woolman opportunity for his own defence, if he desired; he having had due notice of each meeting of your committee,

for action on this subject. The report duly certified has been obtained from the auditor of said county of Grant; whereupon your committee take this the earliest occasion to report; (it is hoped that the above statements will be deemed by the House as sufficient justification for the delay suffered by your committee in this behalf.)

The report above referred to exhibits the following account of Samuel N. Woolman, as school commissioner of Grant county, as shown by a settlement had with the board of commissioners of said county, on the 14th November, 1843, at their special session, called for that purpose.

Samuel N. Woolman, School Commissioner, in account with Grant county, Nov. 14, 1843.

	Dr.
To cash had from predecessor,	$370 00
To cash had from sales of land,	1,248 00
To cash had from interest of surplus revenue,	429 57
To cash had from fee fund,	69 07½
To cash had from interest from purchasers of land,	1,817 29
To cash unaccounted for,	156 55
To cash on loans of funds,	313 24
To cash from incidental receipts,	21 18
To loans refunded,	5,497 94
To loans outstanding	100 00
To loans do fee fund,	61 91
To loans do school fund,	4,195 82½
To loans on interest on school fund,	96 46
To interest unaccounted for, charged on settlement, and missed by auditor's report, also, the charge for mortgages satisfied, and for which he received the fee and failed to satisfy,	14 56¼
To amount not charged in report of auditor but charged on settlement,	3 95
Total,	$15,346 21½

CONTRA,	Cr.
By loan,	$5,773 54½
By amount of sales of land refunded,	36 65
By do of interest on loans refunded,	4 68¾
By fee fund refunded,	6 32½
By school funds disbursed,	2,832 38¼
By incidental expenses,	4 00

By amount of notes and mortgages handed in to auditor on settlement, - - - -		4,454 19½
By cash paid over to successor, - - -		179 31¼
By " " " to board of commissioners on settlement, to-wit:		
By uncurrent bank paper, -	$12 00	
By one township order, - -	12 94	
By " " " for Illinois paper,	70 00	
		94 94
		$14,386 03½
By amount charged as unaccounted for in report, and paid to acting commissioner at settlement -		76 11
Making the total credit, - - -		$14,462 14½

Leaving a balance of $884 07½ due by the said Samuel N. Woolman, as school commissioner of Grant county, on the said 14th Nov., 1843. The said report gives said Woolman a credit of $72 94, since that date, on account of interest on loans and purchases of lands paid over to his sucessor, leaving the defalcation of said Samuel N. Woolman, school commissioner of Grant county, on the day of the making of the last said report, (Dec. 28, 1843,) at $811 13¼.

The report makes the additional statement in reference to the items charged in the above account "unaccounted for," that "it is supposed the sum of $111 48 may be paid in," which, however, when deducted would leave the actual deficit at $699 65¼, whether the deficit be $811 93¼ or $698 65¼ is wholly immaterial to the objects of the resolution. The evidence is so definite, clear, and strong as to produce the conviction unavoidably, painful as it may be, that Samuel N. Woolman has not paid over or accounted to the proper authorities for all moneys which have come into his hands as school commissioner of Grant county, but is a defaulter in that behalf to a large amount.

Mr. Woolman substantially admits the truth of the above statements, and his defence is of too flimsy and incompetent a character to cumber this report, and being wholly unsubstantiated by proof, and no effort having been made, or wish signified by the accused, to procure proof, could not, of course, receive the consideration of your committee.

The undersigned are therefore compelled to report Samuel N. Woolman as a public defaulter, and to recommend the adoption of the following resolution:

Resolved, That Samuel N. Woolman is not entitled to a seat in this

House, as a Representative from the county of Grant, but is holding the same in violation of the Constitution of this State.

HEMAN H. BARBOUR.
P. E. ENGLE.
JAS. D. WILLIAMS.
AUGUSTUS C. HANDY.
G. E. GILBERT.
ISHAM FULLER.

Mr. Hobbs being unwell, was not in attendance at the final meeting of the committee.

And after discussion thereon,

Mr. Matheny moved to lay the same on the table.

And the ayes and noes being demanded by Messrs. Gorman and Matheny:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Barrett, Blakemore, Byers, Chambers, Clark of Hamilton, Coffin, Conner, Dowling, Edger, Foley, Ford, Forseman, Garrett, Gilbert, Gregory, Hannah, Harris, Harrison, Hiatt, Hodges, Holloway, Huddleston, Hurlbut, Kerr, Lee of Jefferson, Lee of Posey, Macy, Matheny, McClure, McDonald, Miller of Vanderburgh, Montague, Moore, Morgan, Nees, Norvell, Nutter, Parker, Read, Rich, Roberts of Laporte, Seller, Shelby, Simonson, Simpson, Spicknall, Sutherland, Tevis, Verbrike, Williamson, and Wolfe. —51.

Those who voted in the negative are,

Messrs. Allen of Putnam, Athon, Barbour, Boone, Bowles, Burton, Chapman, Clark of Tippecanoe, Cowen, Cuppy, Edmonston, Elder, Engle, Ferry, Fuller, Gorman, Handy, Hardin, Helwig, Hostetter, Jones of Fountain, Jones of Franklin, Keimer, Kelly, Logan of Pike, Logan of Washington, McAlister, McConnell, McRae, Mickle, Miller of Crawford, Montgomery, Mooney, O'Neal, Palmer, Robbins, Roberts of Putnam, Saffer, Smith, Turman, Williams, Wright, and Mr. Speaker—44.

So said report was laid on the table.

Then, on motion,

The House adjourned until half-past 1 o'clock P. M.

Half-past 1 *o'clock P. M.*

The House met.

Mr. Conner, chairman of the committee on enrolled bills, made the following report:

MR. SPEAKER:

The committee on enrolled bills have compared the following enrolled bill with the engrossed bill of the House, and find the same correctly enrolled:

No. 8. An act to organize a new county out of the county of Dearborn and to re-locate the county seat thereof;

Whereupon the Speaker signed said act.

Ordered, That the clerk carry the same to the Senate for the signature of the President thereof.

On motion of Mr. Gorman,

The claim of I. P. Smith for services as superintendent of the new State Prison, which had been reported back to the House by the committee on claims, was referred to the committee on ways and means, with instructions to incorporate the same in the specific appropriation bill, to be paid according to law now in force on that subject.

The House then resumed the consideration of the motion of Mr. Roberts of P., to amend No. 133, a bill changing the application of water power at the St. Mary's aqueduct, on the Wabash and Erie canal, from the propulsion of a saw mill to that of a grist mill, proposed by him on yesterday;

And the House having continued the discussion thereon until the hour arrived for the purpose of going into the orders of the day, the same was laid over until to-morrow.

The House then resumed the consideration of the

ORDERS OF THE DAY.

Bills on their second reading.

No. 197. A bill to give effect to an act therein named;

No. 200. A bill to extend the time of holding probate courts in the county of Dearborn;

No. 202. A bill in relation to tavern licenses, in Carroll county;

No. 188. A bill concerning the fees of grand and petit jurors in the counties of Crawford and Perry;

No. 219. A bill in relation to school district No. 5, in township No. 37 north, of range 3, west, in Laporte county;

No. 207. A bill in relation to overseers of the poor;

No. 208. A bill to legalize the acts of school commissioner of Benton county;

No. 214. A bill for the relief of the heirs of George Bishop, late of the county of Jay, deceased;

No. 215. A bill in relation to a state road in Steuben county;

No. 221. A bill supplemental and amendatory of an act entitled "An act to provide for the reduction of the State and individual stock in the State Bank" and for other purposes, approved February 2d, 1843;

No. 216. A bill for the relief of Thomas C. Stewart, of Pike county;

No. 217. A bill to change the mode of selecting petit jurors in Blackford county;

No. 218. A bill in relation to the county auditor in Monroe county;

No. 183. A bill providing for a school tax in the counties of Adams and Jay;

No. 185. A bill authorizing the location of a state road in the county of Allen;

No. 186. A bill to change the name of Rachael Will;

No. 176. A joint resolution relative to granting lands for common school purposes;

No. 206. A bill amending the criminal law;

No. 213. A bill to authorize Job Meredith to build a mill dam across Tippecanoe river;

No. 181. A bill regulating the election of school trustees in the counties of Allen, DeKalb, and Steuben:

No. 182. A bill for the vacation of the town of Otsego, and other purposes;

No. 184. A bill regulating the selecting of grand jurors in Randolph county;

Which were severally read a second time and ordered to be engrossed for a third reading on to-morrow.

No. 205. A bill for the relief of John Law, Lucius H. Scott, and the heirs of James B. McCall, deceased;

Which was read a second time, when

On motion of Mr. McDonald,

It was amended by adding a section, to-wit:

Sec. —. This act shall not be construed to release the said mortgage if the State finishes the Central canal in consideration of which the said mortgage was given;

Mr. Edmonston moved to amend the amendment by inserting "for the term of five years;"

Which was adopted.

Then the bill as amended was ordered to be engrossed for a third reading on to-morrow.

No. 175. A bill appointing commissioners to locate a state road

from Portland, in Jay county, to Hartford, in Blackford county;

Which was read a second time, when,

On motion of Mr. Mickle,

It was amended by adding at the end of the 1st section:

"Or such other route as the said commissioners shall deem most expedient, having a due regard to distance as well as goodness of the ground, the expense of construction, also the injury that may be done to individuals;

Then the bill and amendment were odered to be engrossed for a 3d reading on to-morrow.

No. 220. A bill making the road on land in the counties of Fulton, Marshall, White, Pulaski, Jasper, Benton, and Stark, uniform, and for other purposes;

Which was read a second time, and

On motion of Mr. Robbins,

It was amended by adding the following section, to-wit:

"*Provided*, That when any supervisor shall receive ten dollars of road funds, to be expended in his road district, it shall be the duty of such supervisor to give ten day's public notice, that he will sell to the lowest bidder, road work to the amount of road funds in his hands, and the said supervisor shall sell such work as he may think most advantageous to the public interests;"

Then said bill and amendment were ordered to be engrossed for a third reading on to-morrow.

No. 49. Of the Senate, a joint resolution in relation to an appropriation on the National road in Indiana;

Which was read a second time and ordered to a third reading on to-morrow.

No. 165. A bill of the House, to suspend the pay of members of the Legislature, in certain cases therein named;

Which was read again, and

On motion,

Was laid on the table.

No. 212. A bill supplemental to an act entitled "An act relating to the seminary fund in Cass county," approved Feb. 11, 1843;

No. 193. A bill to vest in foreigners' title to real estate;

No. 189. A bill to amend an act entitled "An act to provide for the payment of expenses incurred in the protection of the school fund," and for other purposes;

No. 210. A bill to divorce Martin Schmall from Anna Maria, his wife;

No. 13. Of the Senate, a joint resolution explanatory of an act entitled "An act for the relief of Jesse J. Burton and Joseph Luther," approved Feb. 2, 1843, and an act entitled "An act for the relief of Nathan Burchfield," approved Feb. 11th, 1843, and for other purposes;

Which were severally read a second time and referred to the committee on the judiciary.

No. 209. A bill in relation to examiners of common school teachers;

Which was read a second time and referred to the committee on education.

No. 191. A bill to amend an act entitled "An act granting to the citizens and the town of Lawrenceburgh a city charter;"

No. 192. A bill to amend an act entitled "An act to incorporate the Vevay and Napolean turnpike company," approved February 8, 1843;

No. 201. A bill to incorporate the Porter county manufacturing company;

Which were severally read a second time and referred to the committee on corporations.

No. 177. A bill attaching certain territory to the counties of Miami and Fulton;

Which was read a second time and referred to the same select committee on that subject of which Mr. Conner is chairman.

No. 211. A bill providing for keeping in repair the turnpike road from Lafayette to Crawfordsville;

Which was read a second time and referred to a select committee of Messrs. Engle, Shelby, and McConnell.

BILLS OF THE SENATE.

No. 65. A bill for the benefit of the illegitimate children of John T. McClelland;

Which was read a second time, and

On motion,

Laid on the table.

No. 43. A bill amending the 19th section of the 12th chapter, article 7 of the Revised Statutes of 1843, so far as the same relates to certain counties therein named;

Which was read a second time, when

Mr. Reed moved to amend as follows, to-wit:

After the word "Henry" insert "unless it be published in the newspapers of the said county of Henry for the sum of twenty-five dollars;"

Which was adopted.

On motion,

The bill was further amended by striking out therefrom the counties of Monroe, Brown, Bartholomew, Delaware, Cass, and Tippecanoe; when,

On motion,

The bill was laid on the table.

No. 64. A bill regulating the granting of licenses in the counties of Adams, Allen, Huntington, and Wells;

No. 18. A bill for the relief of purchasers of school lands;

No. 57 A bill authorizing the recorder of Lagrange county to perfect the records of said county;

No. 76. A bill creating an additional place of holding elections in Florida township, in Parke county;

Which were severally read a second time and ordered to a third reading on to-morrow.

No. 52. A bill to prohibit the sale of spirituous or fermented liquors in the town of Greensborough, in Henry county;

Which was read a second time, when

Mr. Bowles moved to indefinitely pospone the same;

Which motion did not prevail.

The bill was then ordered to a third reading on to-morrow.

No. 48. A bill to constitute the several boards of county commissioners in this State trustees of their respective county libraries;

Which was read a second time, when,

On motion,

The counties of Monroe, Washington, and Spencer were excepted from the provisions of said bill; then,

On motion of Mr. Parker,

Said bill was indefinitely postponed.

No. 62. A bill to repeal an act entitled "An act relating to public roads and highways," approved February 17th, 1838, approved Jan. 29th, 1842;

Which was read a second time and referred to the committee on roads.

BILLS OF THE HOUSE ON THEIR THIRD READING.

On motion of Mr. Clark of H., bill

No. 27. A bill for the relief of Curtis Mallory, treasurer of Hamilton county;

Was taken from the table and read a third time and passed.

No. 90. A bill defining the duties of county auditors and treasurers in this State;

No. 202. A bill for the relief of Peter Everhart;

No. 113. A bill to amend an act to authorize the commissioners of certain counties therein named, to equalize the appraisement of real estate in said counties;

Which were severally read a third time and passed.

Ordered, That the clerk report the same to the Senate and ask their concurrence therein.

The following message was received from the Governor by Mr. Kinder, his private Secretary:

MR. SPEAKER:

I am instructed by His Excellency the Governor, to inform the House of Representatives, that he did on the 4th inst. approve and

sign "An act, No. 8, to organize a new county out of the county of Dearborn, and re-locate the county seat thereof," which originated in the House of Representatives.

No. 58. A bill reviving and amendatory of an act entitled "An act for the relief of settlers on the Wabash and Erie canal lands," approved Feb. 21st 1840;

Which was read a third time, when

Mr. Bearss moved to re-commit the bill to a select committee with instructions to amend it as follows:

"Strike out the word "thereof" in the 5th line of the second section and insert "of the improvements thereon," also, strike out the word "may" in the 12th line, and insert the word "shall," also strike out the word "improvements" in the 15th line of said section.

The Speaker, (Mr. Bowles in the chair) moved to amend the instructions by adding the following:

"*Provided*, That this act shall not be construed to extend to any improvements made prior to the 23d day of Jan. 1843.

Before any action was had thereon,

The House adjourned until to-morrow morning half-past 8 o'clock.

FRIDAY MORNING, JANUARY 5, 1844.

The House met pursuant to adjournment.

The Speaker laid before the House the following communication from His Excellency the Governor:

EXECUTIVE CHAMBER,
Jan. 4th, 1844.

To the Hon. A. L. Robinson,

Speaker of the House of Representatives:

SIR:—I transmit, to be laid before the House of Representatives, the enclosed resolutions of the legislature of South Carolina, communicated to me by the executive of that State, in relation to the assumption of the State debts by the United States, and to the distri-

bution of the proceeds of the National domain, for the payment of the debts of the States.

I have the honor to be,
Very respectfully,
Your ob't servant,
JAS. WHITCOMB.

Which communication and subject matter thereof, were referred to the committee on federal relations.

PETITIONS, REMONSTRANCES, &C., PRESENTED.

The Speaker laid before the House the petition of citizens of congressional township 25 north, of range 2 west, in Carroll county, praying for power to lease school section for a number of years;

Which was referred to the committee on education.

Also, the communication of W. R. Dale of White county, relative to canal land sold for taxes;

Which was referred to the committee on the judiciary.

Also, the petition of citizens of Martin county, praying the re-location of their county seat;

Which was referred to the committee on corporations.

On motion of Mr. Bowles,

Mr. Edmonston has leave to be absent from the service of this House during the remainder of this session, he having learned that his family was severely indisposed.

On motion of Mr. Mickle,

Mr. Matheny has leave to be absent from the service of this House during the remainder of this session on account of the illness of his family.

Mr. Simonson presented the memorial of Joseph R. Pratt, in relation to the State prison;

Which was read and referred to the same select committee on that subject to which Mr. Gregory is chairman.

By Mr. Blakemore,

The petition of sundry citizens of Cass county, for the passage of a law abolishing the office of school commissioner, &c;

Which was read and referred to the committee on education.

By Mr. Hostetter,

Of citizens of Vermillion county, praying the repeal of the law relative to the advertising of delinquent lands;

Which was referred to a select committee of Messrs. Hostetter, Williams, Logan of P., Moore and Garrett.

By Mr. Edger,

The petition of citizens of Randolph county, praying the reduction of the county auditor's fees of said county;

Which was read and referred to a select committee of Messrs. Edger, Harris, and Ford.

By Mr. Morgan,

Of A. M. C. Gaudy and others, praying a change in the law declaring Little Blue river a public highway;

Which was referred to a select committee of Messrs. Morgan, Barrett, and Seller.

By Mr. Robbins,

Of Robert Willey and others, praying the repeal of a certain law requiring them to take canal scrip for certain purposes therein named, and for other purposes;

Which was,

On his motion,

Laid on the table.

By Mr. Gorman,

Of D. D. Weadle, of Brown county, for relief on the subject of school lands;

Which was referred to a select committee of Messrs. Gorman, Barbour, and Wolfe.

By Mr. Bearss.

Of citizens of Miami county, asking the repeal of the township law in Miami county;

Which was referred to a select committee of Messrs. Bearss, Cuppy and Robbins.

By Mr. Bearss,

The remonstrance against attaching a part of Miami county to Fulton county;

Which was read and referred to the same select committee to which Mr. Conner is chairman on that subject.

By Mr. Lee of P.,

Of citizens of the county of Posey, praying an additional justice of the peace in a certain township in said county;

Which was referred to a select committee of Messrs. Lee of Posey, Miller of V., and Montgomery.

By Mr. Nees,

Of citizens of Clay county, praying a change in the township laws of said county;

Which was read and referred to a select committee of Messrs. Nees, Kerr, and Keimer.

By Mr. Roberts of L.

The remonstrance of citizens of the town of Laporte, against the repeal of their charter;

Which was read and referred to the committee on corporations.

The following message was received from the Senate by Mr. Otto, their Principal Secretary:

Mr. Speaker:

I am instructed by the Senate to inform the House of Representatives that Messrs. Reeve & Duzan have been appointed the committee on enrolled bills on the part of the Senate, and that the Senate will, the House of Representatives concurring therein, proceed on to-morrow morning at 10 o'clock, A. M., to elect a Director of the State Bank, to fill the vacancy occasioned by the expiration of the term of service of Abel C. Pepper.

On motion,

So much of the above message as relates to the election of a Bank Director to fill the vacancy of Abel C. Pepper, Esq., was reciprocated by the House.

Ordered, That the Senate be informed thereof.

REPORTS FROM STANDING COMMITTEES.

Mr. Engle, from the committee on elections, made the following report:

Mr. Speaker:

The committee on elections, to whom was referred bill of the House No. 159, entitled "A bill to amend an act entitled an act for the better regulation of general elections" have had the same under consideration and directed me to report, that the laws now in force contain ample provision, in the opinion of the committee, for the punishment of fraudulent and illegal voting, and therefore report the bill back to the House and recommend its indefinite postponement;

Which report was concurred in, and the bill indefinitely postponed.

Mr. Edmonston asked and obtained leave to introduce the following resolution:

Resolved, That the committee on ways and means be instructed to destroy all the Treasury Notes now in the treasury, that has or may hereafter, during the present session of the legislature, be counted and mutilated;

Which was adopted.

Mr. Gorman, having obtained leave, introduced

No. 222. A bill in relation to the Bank tax fund in the treasury;

Which was read three several times,

The rule being suspended therefor;

And the question being,

Shall the bill pass?

And the ayes and noes being demanded by Messrs. Bowles and Chapman:

Those who voted in the affirmative are,

Messrs. Allen of Putnam, Barbour, Boone, Byers, Coffin, Cowen, Elder, Fuller, Gorman, Holbert, Hardin, Helwig, Jones of Fountain, Keimer, Kelly, Lee of P., McDonald, Montgomery, O'Neal, and Roberts of Putnam—25.

Those who voted in the negative are,

Messrs. Allen of Laporte, Athon, Barrett, Bearss, Blakemore, Burton, Bowles, Chambers, Chapman, Cuppy, Clark of Hamilton, Clark of Tippecanoe, Conner, Dowling, Edger, Engle, Ferry, Foley, Ford, Garrett, Gilbert, Gregory, Handy, Hannah, Harris, Harrison, Hiatt, Hodges, Hostetter, Hudleston, Hurlbut, James, Jones of Franklin, Kerr, Lee of J., Logan of Pike, Logan of Washington, Macy, McAlister, McClure, McConnell, McRae, Mickle, Miller of Crawford, Miller of Vanderburgh, Montague, Mooney, Moore, Morgan, Norvell, Nutter, Palmer, Parker, Reed, Rich, Robbins, Roberts of Laporte, Safler, Seller, Shelby, Simonson, Simpson, Smith, Spicknall, Sutherland, Tevis, Turman, Verbrike, Williams, Williamson, Wolfe, Wright and Mr. Speaker—68.

So said bill did not pass.

The Speaker laid before the House the following communication from His Excellency the Governor:

EXECUTIVE CHAMBER,
January 5th 1844.

To the Hon. the Speaker of the

House of Representatives:

SIR:—I transmit herewith the resignation of the Hon. S. N. Woolman, of his seat as a Representative in the House of the General Assembly of the State of Indiana, from the county of Grant, which was made to me this day.

Very respectfully,
Your ob't. serv't.
JAS. WHITCOMB.

(*Copy of resignation.*)

To the Governor

of the State of Indiana:

SIR—I herewith resign my seat as a Representative in the House of the General Assembly of the State aforesaid, from the county of Grant.

S. N. WOOLMAN.

January 5 1844.

Mr. Parker, chairman of the judiciary committee, made the following report:

MR. SPEAKER :

The judiciary committee, to which was referred sundry resolutions, &c., of the House, in reference to the execution laws, have had that matter under consideration, and after mature deliberation, have directed me to report the accompanying bill and recommend its passage:

Messrs. Rich and Barbour dissenting.

No. 223. A bill amendatory of the execution laws, which was

Read a first time and passed to a second reading on to-morrow.

Mr. Parker, also made the following report from the same committee:

MR. SPEAKER:

The judiciary committee, to which was referred bills No. 66, and 196, providing for exonerating justices of the peace from filing affidavit that they have no fees in their hands, subject to be paid into the school fund, agreeably to the requisitions of chapter 67, Revised Statutes of 1843, have had that subject under consideration, and agreeably to the instructions sent to the committee with the second of said bills, they herewith report a general bill on that subject, and they recommend that said two bills referred to the committee be indefinitely postponed:

Which report was concurred in, and

No. 66, and 196. In the above report mentioned was indefinitely postponed.

No. 224. A bill for the relief of justices of the peace, as reported by said committee, was

Read a first time and passed to a second reading on to-morrow.

Mr. Parker, chairman of the same committee, made the following report:

Mr. Speaker:

The judiciary committee, to which was referred the petition of certain citizens of the town of Mishawaka, in St. Joseph county, on the subject of a town lot, have had that matter under consideration, and have directed me to report, that the remedy asked by the petitioners should be sought for in a court of law or equity, and that the legislature cannot rightfully interfere; they therefore ask to be discharged from the further consideration of the subject;

Which was concurred in and the committee discharged from the consideration of that subject.

Mr. Norvell asked and obtained leave to introduce

No. 225. A bill to change the mode of selecting seminary trustees in the county of Lawrence, and for other purposes; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Gorman asked and obtained leave to introduce the following resolution:

Resolved, That the Senate be informed that the House of Representatives are now ready to proceed to a separate ballot, for Bank Director, to fill the vacancy of Abel C. Pepper, whose term of service has expired.

The House then proceeded, with closed doors, to the election of a Director of the State Bank of Indiana, to fill the vacancy occassioned by the expiration of the term of service of Abel C. Pepper;

Messrs. Barbour and ——— acting as tellers,

On counting the first ballot, it appeared that

Abel C. Pepper received - - -	82 votes.
Scattering - - - - - -	15 "

Abel C. Pepper having received a majority of all the votes given, was, by the Speaker, declared duly elected on the part of the House, to serve as Director of the State Bank for and during the term of four years, from and after the expiration of his present term.

Ordered, That the clerk inform the Senate thereof by a sealed message.

The following message was received from the Senate by Mr. Otto, their Principal Secretary:

Mr. Speaker:

I am instructed by the Senate to deliver to the House of Representatives the accompanying sealed message, in relation to the election of Director of the State Bank of Indiana:

Mr. Speaker:

I am directed by the Senate to inform the House of Representa-

tives that at an election held by the Senate, in pursuance of a resolution of the Senate and House of Representatives, for the purpose of electing a Director of the State Bank of Indiana, to fill the vacancy of Abel C. Pepper, whose term of service will expire during the present session of the General Assembly, on the first ballot, with closed doors, Abel C. Pepper received a majority of all the votes given in the Senate, and was therefore, declared duly elected on the part of the Senate, to serve as such for four years, from and after the expiration of his present term of service.

W. T. OTTO, Sec. Senate.

Mr. Edmonston, chairman of the committee on the State Bank, made a report therefrom; and

Which was,

On motion,

Laid on the table.

Mr. McDonald, from the judiciary committee, made the following report:

MR. SPEAKER:

The committee on the judiciary, to whom was referred a resolution of the House instructing said committee to enquire whether by the existing laws any provision is made for relief in cases where property is assessed too high, &c., have had that matter under consideration, and being of opinion that the subject matter of the resolution more properly belongs to the committee on ways and means, have directed me to report the resolution back to the House and recommend its reference to the said committee of ways and means, and ask to be discharged from the further consideration thereof.

Which was concurred in,

Mr. McDonald also made the following report:

MR. SPEAKER:

The judiciary committee, to whom was referred the petition of sundry citizens of Kosciusko and Elkhart counties, praying a law regulating said creek, have had the petition under consideration, and being clearly of the opinion that the existing laws are fully adequate to redress the complaint set forth in said petition, have directed me to report that they deem it inexpedient to legislate in accordance with the prayer of said petitioners, and ask to be discharged from the further consideration thereof;

Which report was concurred in.

Mr. Blakemore, from the same committee, made the following report:

MR. SPEAKER :

The judiciary committee, to whom was referred bill No. 168 of the House, entitled "An act to amend the act in relation to descents, distribution, and dower, have had that bill under consideration, and have directed me to report the same back to this House and recommend its indefinite postponement, and ask to be discharged from the further consideration of the matter.

Which report was concurred in and the bill was indefinitely postponed.

Mr. Conner, from the committee on enrolled bills, made the following report:

MR. SPEAKER:

The committee on enrolled bills have examined the following enrolled with the engrossed bills of the House, and find them correctly enrolled, to-wit:

No. 88. An act vacating a certain alley therein named, in the town of Delphi;

No. 30. An act incorporating the first Presbyterian church of Decatur;

No. 12. An act for the relief of Michael Fitzgibbon;

No. 10. An act for the relief of Persis Hubbard, a minor heir of Benjamin Hubbard, deceased;

No. 73. An act amendatory and supplemental to an act entitled "An act providing for the election of the school commissioner in township No. 14 north, of range No. 7 west, in Parke county," approved Jan. 13, 1842;

No. 85. An act to authorize the school commissioner of Pike county to loan the common school fund of said county on personal security;

No. 122. An act to authorize Charles Nelson to erect a mill dam across the Wabash river in Adams county;

No. 125. An act to vacate a certain alley in the town of Bloomington, Monroe county;

No. 94. An act relating to the proof of title to State lands;

No. 104. An act regulating the licensing of Auctioneers in the city of Fort Wayne;

No. 110. An act to change the name of David Barker to the name of David Dobbins;

No. 98. An act for the relief of George Belshaw;

No. 123. An act declaring a certain road therein named a state road;

Whereupon the Speaker signed said acts.

Ordered, That the clerk carry the same to the Senate for the signature of the President thereof.

Mr. Barbour, from the committee on the judiciary, made the following report:

Mr. Speaker:

The committee on the judiciary, to whom was referred the petition of Boice H. French of the county of Knox, praying a divorce from his wife Cassandra; the petition of Samuel Cook of Franklin county, praying a divorce from his wife Sarah; the petition of Sidney Brown and others of the county of Whitley, praying the divorce of said Sidney from her husband, James; the petition of Jordan Payton of Hamilton county, praying a divorce from his wife, Purity; the petition of sundry citizens of Fulton county, praying the divorce of George Braimin, from his wife, Margaret; and the petition of Abner H. Crist of Clay county, praying a divorce from his wife, Elizabeth; also, "bill No. 142," divorcing the aforesaid Sydney Brown and James Brown; and bill No. 210, divorcing Martin Small from Anna Maria, his wife; have had these several matters under consideration, and have directed me to

REPORT,

That they are disposed to sanction and accord with the course of the legislature for several years past, in the rejection of all applications of this kind, and in sending back applicants to the judicial tribunals, having the legitimate, and as your committee believe, the exclusive cognizance and jurisdiction of these cases; and they offer the following as a few of the reasons which influence them to such action:

As regards the mooted question of the constitutionality of legislative action on this subject, without discussing, or even venturing an opinion thereon, your committee would simply say that many of our most able and eminent jurists decide most positively that such action is unconstitutional, since it is in direct violation of the obligations of civil contracts.

But your committee are unanimously of the opinion that the legislature in conferring the power of granting divorces upon the judicial tribunals of the State, has divested itself thereof, and that the joint and concurrent exercise of this jurisdiction by these departments is not only incompatible, but inexpedient and improper.

On the subject of granting divorces by the legislature, Chancellor Kent says: "The question of divorce involves investigations, which are properly of a judicial nature; and the jurisdiction over divorces ought to be confined exclusively to the judicial tribunals under the limitations prescribed by law." And Judge Story says: "I am not prepared to admit a power in the State legislature to dissolve a marriage contract without a judicial inquiry to ascertain the breach of the contract."

Aside from these considerations, your committee are opposed to wasting the time of the legislature in considering the applications, since the courts of the country afford ample relief in such cases, with far less expense to the public, and little additional expense to the applicants; your committee therefore recommend the adoption of the following resolution:

Resolved, That in the opinion of this House it is highly inexpedient and improper to pass laws dissolving the marriage contract.

Your committee would also report on bill,

No. 67. Granting divorces in certain cases, that the bill proposes no material change in the existing law, and they therefore recommend its indefinite postponement;

Which report was concurrred in and the said resolution therein named was adopted.

Mr. O'Neal, from the committee on education, made the following report:

Mr. Speaker:

The committee on education, to which was referred two petitions of the citizens of Wayne county, praying the passage of a law making it the duty of the trustees of each congressional township in this State to levy an ad valorem tax, sufficient in connection with the common school fund, to support a free school in each school district, at least six months in each year, have had the same under consideration, and have directed me to report that the citizens of each school district, have that power under the existing law, if they deem the same necessary, and the committee are of the opinion that the citizens should be left free to act on that subject voluntarily, and that any compulsory enactments on that subject is deemed by your committee as inexpedient, and ask to be discharged from the further consideration thereof;

Which report was concurred in.

The following message was received from His Excelleny the Governor by Mr. Kinder, his Private Secretary:

Mr. Speaker:

I am instructed by His Excellency the Governor, to inform the House of Representatives, that he has on this day approved and signed the following acts and joint resolutions:

No. 16. An act to change the time of holding probate courts in Dubois county;

No. 41. An act to provide for the establishment of an additional place of holding elections in Vermillion county;

No. 55. An act to change the time of holding probate courts in the county of Martin;

No. 64. An act to restrict the assessment of a poll tax within the county of Spencer;

No. 72. An act regulating elections in the counties of Adams and Jay;

No. 131. An act to amend the 4th article of the 16th chapter of the Revised Statutes of 1843, so far as the same relates to the counties of Washington and Jackson;

No. 143. An act to legalize the sale of certain real estate of the minor heirs of James Whitaker, in the county of Noble;

No. 198. An act to legalize the proceedings of the board of county commissioners of Green county;

No. 66. A joint resolution in relation to certain repairs on the bridge across White river on the National road;

No. 93. A joint resolution in relation to the construction of a canal at the falls of the Ohio river;

No. 61. A joint resolution in relation to a light house at City West;

No. 149. A joint resolution in relation to a grant of lands for the completion of the northern end of the Central canal.

Mr. Hodges, from the committee on education, made the following report:

Mr. Speaker:

The committee on education, to whom was referred a resolution of the House instructing them to enquire into and report what amendments is necessary to be made in the school laws, so as more effectually to secure to the weak districts their due proportion of the school fund, have had that subject under consideration, and directed me to report that they have examined the late Revised school laws, and find that ample provisions is made not only for weak districts, but for individuals, and ask to be discharged from the further consideration thereof;

Which report was concurred in.

Mr. Logan of W., chairman of the committee on military affairs, made the following report:

Mr. Speaker:

The committee on military affairs, to whom was referred the petition of a number of citizens of Vevay, Indiana, and its vicinity, and also of citizens of Ghent, Kentucky, and its vicinty, praying to have the 20th section of the ferry law of Indiana, so amended that citizens of Kentucky and Illinois can visit the towns in Indiana with their families, in their water crafts to attend church, &c., and also, the remonstrance of John F. Dufour, against an amendment of said act, now report that they have had the subject contained in the petition and remonstrance under their consideration, and have directed me to

port the following bill, and ask to be discharged from the further consideration thereof;

No. 226. A bill to amend an act entitled "An act to establish and regulate ferrys," approved Feb. 10, 1831; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Blakemore, from the committee on claims, made the following report:

Mr. Speaker:

The committee on claims, to whom was referred the petition of Hyacinth Lasselle, in relation to his losses sustained on account of the dam across the Wabash river near Delphi, which was constructed by the State, have had that matter under consideration, and have directed me to report the following joint resolution and recommend its passage:

No. 227. A joint resolution authorizing Hyacinth Lasselle of Cass county to sue the State of Indiana; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Cuppy, chairman of the committee on claims, made the following report:

Mr. Speaker:

The committee on claims, to whom was referred a bill of the House No. 78, entitled "A bill for the relief of George Mickle," have had the same under consideration, and have directed me to report that in the opinion of the committee, it is inexpedient to legislate on that subject at this time, and that I report the same back to the House, and recommend its indefinite postponement;

Which report was concurred in, and the bill indefinitely postponed.

Mr. Miller of C., from the committee on roads, made the following report:

Mr. Speaker:

The committee on roads, to whom was referred the petition of a certain Potter Doolittle and sundry other citizens of Laporte and Porter counties, setting forth that the said petitions have as it would seem very patriotically ditched a certain swamp, a mile in length, through which the State road from Plymouth to Juliet, in Illinois, passes, but that they are not able to bridge and gravel the aforesaid swamp without a donation from the State, &c., we have had the said petition under consideration, and have directed me to report that in their opinion the said petitioners are totally ignorant of the condition of the treasury of the State, or must have cheeks hard enough to fritter away a brick bat without a blush, to ask a donation at the hands of the present le-

gislature, therefore it is inexpedient to further legislate on the said subject;

Which report was concurred in.

Mr. Roberts of P., chairman of the committee on canals and internal improvements, made the following report:

Mr. Speaker:

The committee on canals and internal improvements, to whom was referred a bill of the House No. 166, have had that matter under consideration, and have directed me to report that the distance of the canal lands mentioned in said bill, from the canal, and their quality, and that being selected at an early date, and being not yet sold, convince them of the propriety of reducing the price of said lands, they therefore recommend the amending said bill by striking out all after the enacting clause and inserting the following, and ask to be discharged from the further consideration thereof;

The amendment of the committee to the said bill in said report mentioned, was concurred in;

When Mr. Hurlbut moved to amend the amendment as follows:

Provided, That the provisions of this act shall not extend to any individuals unless they shall pay for said lands in cash or par funds;

Which was adopted.

Then, on motion,

The said bill and amendments were laid on the table.

Mr. Ferry, chairman of the committee on corporations, made the following report:

Mr. Speaker.

The committee on corporations, to which was referred the petition of Thompson Hall and others, citizens of Vigo county, praying the passage of an act incorporating the Terre-Haute draw-bridge company, have had the same under consideration, and have directed me to report the following bill and recommend its passage:

No. 228. A bill to incorporate the Terre-Haute draw-bridge company; which was

Read a first time and passed to a second reading on to-morrow.

Mr. James, chairman of the committee on the State Library, made the following report:

Mr. Speaker:

The committee to which was referred a bill to amend an act entitled "An act to provide for a keeper of the State House and Librarian," approved Feb. 2, 1841, have had that subject under consideration, and recommend its indefinite postponement;

Which report was concurred in, and the bill was indefinitely postponed.

On motion of Norvell,

The vote taken on Dec. 23, upon the reference of bill No. 174 to the judiciary committee, was reconsidered;

Then the said bill was referred to the committee on education.

REPORTS FROM SELECT COMMITTEES.

Mr. Hannah, from a select committee, made the following report:

Mr. Speaker:

The select committee, to whom was referred several petitions from citizens of Wayne county, praying the passage of an act to incorporate a company to construct a canal from Centreville down Noland's fork of White Water to intersect the White Water Valley canal above Connersville, after due consideration, have instructed me to report a bill and respectfully recommend the passage thereof;

No. 229. A bill to incorporate the Noland's fork canal company; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Blakemore, from a select committee, made the following report:

Mr. Speaker:

The select committee, to whom was referred the petition in relation to the incorporation of the Michigan road company, have had the same under consideration, and have directed me to report the following bill and recommend its passage;

No. 230. A bill to incorporate the Michigan road company; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Harrison, from a select committee, made the following report:

Mr. Speaker :

The select committee, to whom was referred the petitions of sundry citizens of Montgomery county, relative to the improvement of Sugar creek by slack water navigation, have had the same under consideration, and have directed me to report the following bill and recommend its passage:

No. 231. A bill to improve the navigation of Sugar creek; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Saffer, from a select committee, made the following report:

Mr. Speaker:

The select committee, to whom was referred the petition of Hetty Clark, praying a divorce from her husband Noah Clark, have had that subject under consideration, and have directed me to make the following report, that we find from the testimony that accompanied the petition, that the said Hetty Clark has been abandoned by her husband, and that she is at this time desolate and alone, except two small children, who depend on her for support; your committee after due consideration upon the subject, have come to the conclusion that it was never intended that men should abandon their wives, and when it is made out clearly that one has acted so unnatural, we are all of the opinion that the laws, divine and human, warrant legislative bodies to interfere and afford redress if possible, and the above case is one of those cases, and your committee have instructed me to report the following bill and recommend its passage:

No. 232. A bill for the relief of Hetty Clark, of Harrison county; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Bearss, from a select committee, made the following report:

Mr. Speaker:

The select committee to which was referred the petition of numerous citizens of Miami county, relative to draining a certain pool of stagnant water, caused by the construction of the Wabash and Erie canal, have had that matter under consideration, and have directed me to report the following bill and recommend its passage:

No. 233. A bill to authorize the general Superintendent of the Wabash and Erie canal to drain a certain pond caused by the construction of said canal; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Morgan, from a select committee, made the following report:

Mr. Speaker:

The select committee, to which was referred a bill of the House, No. 157, entitled "A bill to reduce the fees of the several officers therein named," have had the same under consideration, and instructed me to report the bill back with three amendments, and as amended, recommend its passage;

Mr. Rich not present.

The 1st and 2d, amendments of the committee were concurred in by the House.

And after discussion being had on the 3d amendment,

Mr. Montague moved to lay the bill and amendments on the table;

And the ayes and noes being demanded by Messrs. Huddleston and Foley:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Allen of Putnam, Barbour, Boone, Burton, Byers, Chambers, Clark of Tippecanoe, Coffin, Edmonston, Elder, Ferry, Halbert, Handy, Hannah, Hardin, Harris, Helwig, Holloway, Hurlbut, Jones of Fountain, Kelly, Kerr, Logan of Washington, McDonald, Miller of Crawford, Miller of Vanderburgh, Montague, Mooney, Norvell, Nutter, Parker, Shelby, Simonson, Spicknall, Sutherland, and Mr. Speaker—37.

Those who voted in the negative are,

Messrs. Athon, Barrett, Bearss, Blakemore, Bowles, Chapman, Clark of Hamilton, Conner, Cowen, Dowling, Edger, Engle, Foley, Ford, Fuller, Gilbert, Gorman, Gregory, Harrison, Hiatt, Hodges, Hostetter, Huddleston, Jones of Franklin, Keimer, Lee of J., Lee of Posey, Logan of Pike, McAlister, McClure, McConnell, McRae, Mickle, Montgomery, Moore, Morgan, Nees, O'Neal, Reed, Rich, Robbins, Saffer, Seller, Simpson, Smith, Turman, Verbrike, Williams, Williamson, Wolfe, and Wright—51.

So said bill with the pending amendments were not laid on the table.

Mr. Roberts of P., moved to amend the bill as follows:

"Strike out all that portion of said bill which relates to the clerks of the circuit courts."

Mr. Edmonston moved that the bill and pending amendments be referred to a committee of the whole House, and be made the order of the day on to-morrow.

Which did not prevail.

Mr. Chapman moved to make it the order of the day for 2 o'clock, this day;

Which did not prevail.

Then,

On motion,

The said bill and pending amendments were referred to a committee of the whole House, and made the order of the day now, (with Mr. Simonson in the chair,) and after having spent a short time therein, rose, and through its chairman, reported the same back to the House without amendment, and asked to be discharged from the further consideration thereof;

Which report was concurred in and the committee discharged accordingly.

The following communication was received from His Excellency the Governor, by Mr. Kinder, his Private Secretary:

EXECUTIVE CHAMBER,
January 5th, 1844.

To the Hon. the Speaker of the

House of Representatives:

SIR:—I herewith transmit the resignation of Delana R. Eckles, Esq., of the office of State Printer, (to which he was elected at the present session of the Legislature,) as by him communicated to me. A copy of the said resignation has been by me transmitted to the President of the Senate, in order that the subject may be laid before each branch of the General Assembly, at an early period.

I have the honor to be,
Very respectfully,
Your ob't servant,
JAS. WHITCOMB.

(*A copy of resignation.*)

INDIANAPOLIS,
January 4th, 1844.

SIR:—I take this occasion to inform your Excellency that I have resigned, and do hereby resign the office of State Printer, to the General Assembly of the State of Indiana.

DELANA R. ECKLES.

Gov. WHITCOMB.

Then, on motion,
The House adjourned until half-past 1 o'clock P. M.

Half-past 1 *o'clock P. M.*

The House met.

The Speaker laid before the House the following communication from Mr. Elder:

A.

INDIANAPOLIS,
January 5th, 1844.

To the Hon. the Speaker of the

House of Representatives:

SIR:—Within the past few days the report of I. P. Smith, Esq., Superintendent of construction of the new State Prison, came into my hands. As I was the individual who gave the plan and specifications for that work, and aided Gov. Bigger in making the contract,—some notice of that report I deem necessary to a proper understanding of the matter, and respectfully request that this communication be laid before the House and placed on its Journal.

THE REPORT,

Speaking of the work done and performed during the Summer of 1842, says: "This work includes the foundations of the front building designed for offices. The foundation of the cells, a part of the foundation of the outside prison wall, and the entire foundation of the enclosing wall—They are all (says the report) of the same character being built of loose unmortered stone, of various dimensions, promiscuously thrown into a trench, dug five feet deep, and three feet wide, for their reception, all of which, each in their turn, have been rejected, &c."

If Mr. Smith ever examined the work he would have found that the front building, designed for offices, has a cellar under it, the foundation wall of which, (as can be seen) is of regular rubble-stone-masonry, built without mortar. It was built so by my direction, because my experience and observation has taught, that "too frequently" in mortared foundation walls, of rubble or rough stone masonry, the mortar is used to cover over defects and fill up crevices that should be filled with solid material. This foundation was put down under my eye, and so far as I could discover, was executed in a proper manner; the stone were very rough, yet I believe the foundation strong and substantial.

The foundation under the cells, was put down previous to my going there, and on my arrival, found the work ready for commencing the walls above ground.

The foundation for the cells was designed to be placed under the walls only, but from some misunderstanding on this matter, the whole surface under the cells was excavated to the depth of five feet. When I was informed of this fact, I directed the pit or cellar to be compactly filled with stone to the surface of the ground; this was done as I af-

terwards discovered, but I did not see the stone put in. If compactly put in, a better foundation could not be had.

At the time of making out the specifications, it was not expected that the enclosing wall would be commenced during the year 1842, as sufficient employment could be found for the hands on the front and cell buildings, therefore, no attention was given to it at that time. I afterwards learned, however, that from considerations of safety, it was deemed advisable to put up the enclosing wall in advance of the other buildings, thereby cutting off all possibility of escape, and reducing the expense of the guard. Enquiry being made of me when I was last there, (July, 1842,) I directed the excavation for the foundation to be made three feet wide and five feet deep, and filled compactly with stone to the surface of the ground, and made level for the reception of the brick wall. If it was so done, I would not ask a better foundation, in a hard clay soil, such as I found there, for a wall of the weight which it was required to sustain. I have seen such foundations used successfully under heavy buildings, in the east, and also under stone locks. I have used the same myself, under heavy walls, and will instance the State Bank of Indiana as an example, in which building, the first crack or opening cannot now be found, in the walls sustained by its foundation.

Since writing the foregoing, I have seen the Superintendent of the State Prison, (Mr. Pratt,) who informs me that in a part of this enclosing wall which was left open for the purpose of carting brick through, and was put up the past season; "precisely the same kind of foundation, and put down in the same manner, was used under the superintendence of Mr. Smith, as that previously directed by me."

As to the free stone purchased for the cell-house, in 1842, yielding to the action of the atmosphere, I will merely remark, that this is a very common thing in western stone, but at the same time, Mr. Smith should recollect that the cell-house, when put up, will be entirely enclosed within another building, and therefore not subject to the action of the weather.

The specifications and drawings accompanying them, in regard to all the work, are sufficiently explicit for any ordinary workman to understand; and it has been matter of astonishment to me, since I have seen this report, that Mr. Smith could, conscientiously, continue his superentendence and operations on the new prison, from March until December, of the past year, when he knew that "a mass of ruins" would be the consequence.

In regard to the execution of the work which has been performed since July, 1842, at which time I spent about two weeks at the prison, and have not been there since, I cannot speak, and therefore know nothing of the complaint which the report makes against the contractors.

Respectfully submitted,

JOHN ELDER.

Which was,

On motion of Mr. Simonson,

Referred to the committee on the affairs of the State Prison.

The House then resumed the consideration of No. 157, as reported back to the House by Mr. Morgan from a select committee;

When Mr. Gregory moved to indefinitely postpone the said bill and pending amendments;

And the ayes and noes having been demanded by Messrs. Gregory and Chapman:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Athon, Barbour, Byers, Chambers, Cuppy, Dowling, Elder, Ferry, Garrett, Gregory, Hannah, Helwig, Hiatt, Hodges, Holloway, Hostetter, Hurlbut, James, Kelly, Kerr, Lee of J., Logan of Washington, McDonald, Miller of Crawford, Miller of Vanderburgh, Montague, Mooney, Norvell, Nutter, Parker, Roberts of Laporte, Shelby, Simonson, Spicknall, Tevis, Wolfe, and Mr. Speaker.—38.

Those who voted in the negative are,

Messrs. Barrett, Bearss, Blakemore, Boone, Bowles, Chapman, Clark of Hamilton, Clark of Tippecanoe, Coffin, Conner, Cowen, Edger, Foley, Forseman, Fuller, Gilbert, Handy, Hardin, Harris, Harrison, Huddleston, Keimer, Lee of Posey, Logan of Pike, McAlister, McConnell, McRae, Mickle, Montgomery, Moore, Morgan, Nees, Palmer, Reed, Rich, Robbins, Roberts of Putnam, Saffer, Seller, Simpson, Smith, Sutherland, Turman, Verbrike, Williams, and Williamson,—46.

So said motion to indefinitely postpone the bill &c, did not prevail.

The question then recurred on the amendment as proposed by Mr. Roberts of P.;

And the ayes and noes having been demanded by Messrs. Chapman and Smith:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Allen of Putnam, Athon, Barbour, Bearss, Burton, Clark of Tippecanoe, Cowen, Cuppy, Dowling, Elder, Ferry, Garrett, Gilbert, Gregory, Handy, Hannah, Helwig, Hiatt, Hodges, Holloway, Hostetter, Hurlbut, Jones of Fountain, Kelly, Logan of Washington, McDonald, Miller of Vanderburgh, Montague, Mooney, Norvell, Nutter, Parker, Roberts of Laporte, Roberts of Putnam, Shelby, Simonson, Sutherland, Tevis, Wolfe,and Mr. Speaker.—40.

Those who voted in the negative are,

Messrs. Barrett, Blakemore, Boone, Bowles, Byers, Chambers, Chapman, Clark of Hamilton, Coffin, Conner, Edger, Engle, Foley, Ford, Forseman, Fuller, Hardin, Harris, Harrison, Huddleston, James, Jones of Franklin, Keimer, Kerr, Lee of Jefferson, McAlister, McConnell, McRae, Mickle, Miller of Crawford, Montgomery, Moore, Morgan, Nees, O'Neal, Palmer, Reed, Rich, Robbins, Saffer, Seller, Simpson, Smith, Spicknall, Turman, Verbrike, Williams and Williamson.—50.

So said amendment was not adopted.

Mr. Ferry moved to amend the bill as follows:

"SEC. —. That the provisions of this act shall, in no case apply, unless the fees due are paid at the time when the particular services are rendered;"

Which was not adopted.

Mr. Norvell moved to amend as follows:

"That the office of circuit court clerk shall be abolished;"

Which was not agreed to.

Mr. McDonald moved to amend as follows, insert the following proviso:

"*Provided*, That this act shall not be construed to extend to the counties in which the fees of the clerk amount to less than five hundred dollars."

Mr. Harrison moved the previous question;

Which was not seconded by the House.

Mr. Fuller moved to lay the bill and pending amendments on the table;

And the ayes and noes being demanded by Messrs. Chapman and Moore:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Athon, Barbour, Blakemore, Boone, Bowles, Burton, Byers, Chambers, Clark of Tippecanoe, Cowen, Cuppy, Edger, Elder, Engle, Ferry, Fuller, Gilbert, Gregory, Halbert, Hannah, Harris, Helwig, Hiatt, Hodges, Holloway, Hostetter, Hurlbut, James, Jones of Fountain, Kelly, Kerr, Lee of Jeff., Logan of Washington, McDonald, Miller of Vanderburgh, Montague, Montgomery, Mooney, Norvell, Nutter, Parker, Roberts of Laporte, Shelby, Simonson, Sutherland, Tevis, Wolfe, and Mr. Speaker—49.

Those who voted in the negative are,

Messrs. Allen of Putnam, Barrett, Bearss, Chapman, Clark of Hamilton Coffin, Conner, Foley, Ford, Forseman, Garrett, Gorman, Handy,

Hardin, Harrison, Hobbs, Huddleston, Jones of Franklin, Keimer, Lee of Posey, Logan of Pike, Macy, McAlister, McClure, McConnell, McRae, Mickle, Miller of Crawford, Moore, Morgan, Nees, O'Neal, Palmer, Reed, Rich, Robbins, Roberts of Putnam, Saffer, Seller, Simpson, Smith, Spicknall, Turman, Verbrike, Williams, and Williamson—46.

So said bill and amendments were laid on the table.

Mr. Moore, from a select committee, made the following report:

Mr. Speaker:

The select committee, to whom was referred a bill of this House, No. 180, abolishing the office of county auditor, in the counties of Owen, Greene, Bartholomew, Harrison, Grant, Hamilton, Orange, Sullivan, and Perry, have had that subject under consideration, and after making the necessary amendments to make it harmonize as far as was practicable with the Revised Code of 1843, have directed me to report it back to this House and recommend its passage.

The amendments of the committee were concurred in,

When Mr. Clark of H. moved to amend by striking out the county of Hamilton therefrom;

Mr. Conner objected.

And the question being taken thereon,

It was decided in the negative.

The bill was then ordered to be engrossed for a third reading on to-morrow.

Mr. Allen of P., from a select committee, made the following report:

Mr. Speaker:

The select committee, to which was referred the petition of Martin C. Atkins, praying to be divorced from his wife Clementine Malinda Atkins, have had that subject under consideration, and have directed me to report the following bill and recommend its passage, and ask to be discharged from the further consideration thereof;

No. 234. A bill for the relief of Martin C. Atkins; which bill was

Read a first time and passed to a second reading on to-morrow.

Mr. Norvell, chairman of the committee on education, (with leave of the House) made the following report:

Mr. Speaker:

The committee on education, to which was referred a bill of the House No. 174, proposing a change in the late Revision of the common school laws, so far as relates to Marion county, together with

several petitions of sundry citizens of said county, on the same subject, have had the same under consideration, and in answer to the prayers of said petitioners, have directed me to report said bill back to the House and recommend its passage;

Which report was concurred in, and the bill therein named was ordered to be engrossed for a third reading on to-morrow.

Mr. Keimer, from a select committee, made the following report:

Mr. Speaker:

The select committee, to whom was referred the petition of sundry citizens of Blackford and Grant counties, praying certain territory to be attached to Blackford county, have had that subject under consideration, and have directed me to report, that inasmuch as Blackford county is one of the smallest counties in the State, and that there is much waste and unorganized territory west of Grant county, no injustice can be done to the said Grant county by the attaching a part of her territory to Blackford, as aforesaid, I am directed therefore to report the following bill and recommend its passage:

No. 235. A bill to alter the western boundary line of the county of Blackford and attach a part of Grant county thereto; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Handy, from a select committee, made the following report:

Mr. Speaker:

The select committee, to which was referred the petition of Elisha Collins and others, citizens of Shelby county, praying the changing of the name of Black Hawk to Mount Auburn, have had the same under consideration, and have directed me to report the following bill and recommend its passage:

No. 236. A bill to change the name of Black Hawk to that of Mount Auburn; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Gregory, from a select committee, made the following report:

Mr. Speaker:

The select committee, to whom was referred the petitions of sundry citizens of the counties of Fountain and Warren, praying the incorporation of a company to construct a lateral canal in the county of Fountain, from the Wabash and Erie canal to the Wabash river, opposite the town of Independence, in Warren county, have had the same under consideration, and have directed me to report, that the public good requires the construction of said work, not only for the convenience of the citizens west and northwest of said point, but that the business on said Wabash and Erie canal will be materially increas-

ed by opening this channel to convey produce to the same; I am dited therefore to report the following bill and recommend its passage:

No. 237. A bill to incorporate the Warren county canal company; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Bowles, chairman of the committee on ways and means, made the following report, with the leave of the House:

Mr. Speaker:

The committee of ways and means, to which was referred a resolution of the House, directing an enquiry as to the expediency of repealing so much of the Revised Statutes of last winter as exempts one hundred and twenty-five dollars from taxation to each tax payer, have according to order, had that subject under consideration, and directed me to insert a repealing provision in the revenue bill, which is herewith reported, and ask to be discharged from the further consideration of that subject;

No. 238. A bill to raise revenue for State purposes, and to redeem Treasury Notes; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Barbour, from the judiciary committee, asked and obtained the suspension of the orders of the day, for the purpose of making the following report:

Mr. Speaker.

The committee on the judiciary, to whom was referred joint resolution No. 13, of the Senate, entitled "A joint resolution explanatory of an act entitled "An act for the relief of Jesse J. Burton and Joseph Luther," " approved Feb. 2, 1843, and an act entitled "An act for the relief of Nathan Burchfield," approved Feb. 11, 1843, and for other purposes, have had the same under consideration, and have instructed me to report the following amendments thereto, and recommend its adoption:

Amend by striking out the name of Joseph H. Hendricks from the the first section, also strike out the third section, and when so amended, your committee recommend the passage of said joint resolution.

Mr. Chapman moved to lay the report and bill on the table;

Which did not prevail.

After discussion had,

The Speaker, (Mr. Simonson in the chair) moved a division of the question on striking out the name of Josesph H. Hendricks, from the joint resolution in the report mentioned;

And the ayes and noes being demanded by Messrs. McDonald and Barbour:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Allen of Putnam, Athon, Barbour, Barrett, Bearss, Blakemore, Boone, Burton, Byers, Chapman, Clark of Hamilton, Clark of Tippecanoe, Cuppy, Edger, Elder, Engle, Ferry, Foley, Ford, Fuller, Gilbert, Hardin, Harris, Harrison, Hiatt, Hodges, Holloway, Hostetter, Huddleston, Jones of Fountain, Jones of Franklin, Keimer, Kelly, Logan of Pike, Logan of Washington, McAlister, McConnell, McRae, Mickle, Montgomery, Moore, Morgan, Nees, Palmer, Parker, Rich, Robbins, Roberts of Laporte, Roberts of Putnam, Saffer, Seller, Simonson, Simpson, Spicknall, Sutherland, Turman, Verbrike, Williams, Williamson, and Mr. Speaker.—61.

Those who voted in the negative are,

Messrs. Chambers, Coffin, Conner, Dowling, Forseman, Garrett, Gorman, Gregory, Handy, Hannah, Hurlbut, James, Kerr, Lee of Jefferson, Lee of Posey, Macy, McDonald, Miller of Vanderburgh, Montague, Mooney, Norvell, Nutter, O'Neal, Reed, Shelby, Smith, Tevis, and Wolfe—28.

So the name of Joseph H. Hendricks was stricken out therefrom.

The question then recurred,

Will the House strike out the 3d section of the joint resolution in said report mentioned, as recommended by said committee;

It was decided in the affirmative.

Mr. Gorman moved to lay the joint resolution as amended on the table;

And the ayes and noes being demanded by Messrs. Gorman and O'Neal:

Those who voted in the affirmative are,

Messrs. Chapman, Coffin, Conner, Forseman, Garrett, Gorman, Gregory, Handy, Jones of Fountain, Kerr, Lee of Posey, Macy, McClure, McDonald, Miller of Vanderburgh, Montgomery, Moore, Norvell, Nutter, O'Neal, Rich, Shelby, Smith, Tevis, and Wolfe. —25.

Those who voted in the negative are,

Messrs. Allen of Laporte, Allen of Putnam, Athon, Barbour, Barrett, Bearss, Blakemore, Boone, Bowles, Burton, Byers, Chambers, Clark of Hamilton, Clark of Tippecanoe, Dowling, Edger, Elder, Engle, Ferry, Foley, Ford, Fuller, Gilbert, Hannah, Harris, Hardin, Harrison, Helwig, Hiatt, Hobbs, Hodges, Holloway, Hostetter, Hud-

dleston, Hurlbut, James, Keimer, Kelly, Logan of Pike, Logan of Washington, McAlister, McConnell, McRae, Mickle, Montague, Mooney, Morgan, Nees, Parker, Reed, Robbins, Roberts of Putnam, Saffer, Seller, Simonson, Simpson, Spicknall, Sutherland, Turman, Verbrike, Williams, Williamson, and Mr. Speaker—63.

So the motion to lay on the table did not prevail.

Mr. Barbour moved to suspend the rule, and the said joint resolution be read a third time now;

And the ayes and noes being demanded by Messrs. Gorman and Barbour:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Allen of Putnam, Athon, Barbour, Bearss, Blakemore, Boone, Bowles, Burton, Byers, Clark of Hamilton, Clark of Tippecanoe, Cuppy, Elder, Engle, Ferry, Ford, Hardin, Harris, Harrison, Helwig, Hodges, Holloway, Hostetter, Hudleston, James, Jones of Franklin, Kelly, Logan of Pike, Logan of Washington, McAlister, McConnell, McRae, Mickle, Mooney, Morgan, Nees, Palmer, Parker, Robbins, Roberts of Putnam, Saffer, Seller, Simpson, Spicknall, Sutherland, Turman, Verbrike, Williams, and Williamson. —50.

Those who voted in the negative are,

Messrs. Chapman, Coffin, Conner, Dowling, Foley, Forseman, Fuller, Garrett, Gorman, Gregory, Handy, Hannah, Hiatt, Hurlbut, Jones of Fountain, Keimer, Kerr, Lee of Jefferson, Lee of Posey, Macy, McClure, McDonald, Miller of Crawford, Miller of Vanderburgh, Montague, Montgomery, Moore, Norvell, Nutter, O'Neal, Reed, Rich, Shelby, Simonson, Smith, Wolfe, Wright, and Mr. Speaker. —38.

So the rule was not suspended, (it requires two-thirds to suspend the rule.)

Mr. Gorman moved to amend so that Joseph H. Hendricks shall look alone to the suspended debt for the payment of his claim of $26,000, and that the joint resolution which contemplates a payment of his claim out of the State Treasury is repealed.

Mr. Barbour moved the previous question;

Which was seconded by the House.

The question being,

Shall the main question be now put?

It was decided in the affirmative.

The main question was then put, to-wit:

Shall the bill be ordered to a third reading on to-morrow?

Which passed in the affirmative.

Then, on motion,
The House adjourned till half-past eight o'clock to-morrow morning.

SATURDAY MORNING, JAN. 6th, 1844.

The House met pursuant to adjournment.

On motion,
The reading of the Journal was dispensed with.
The previous order of business having been suspended for the

INTRODUCTION OF BILLS.

Mr. Lee of P., introduced
No. 239. A bill to locate a state road in Posey county;
Also, No. 240. A bill to repeal a road law in Posey county;
And also, No. 241. A bill declaring Big creek a navigable highway;
Mr. Helwig introduced
No. 242. A bill for the relief of Samuel W. Sprott, against an unjust prosecution in the county of DeKalb;
Mr. Cowen introduced
No. 243. A bill in relation to road tax in the county of Elkhart;
Mr. Simpson introduced
No. 244. A bill declaratory of the law in a special case in Fayette county;
Mr. Wright introduced
No. 245. A bill to repeal so much of the existing law as requires persons to have their deeds examined by the county auditor, so far as it relates to the county of Switzerland;
Mr. Miller of C. introduced
No. 246. A bill to amend the road law;
Mr. Nees introduced
No. 247. A bill for the relief of William B. Townsend of Clay county;
Mr. Chapman introduced
No. 248. A bill to repeal so much of the Revised Statutes as authorizes the forfeiture of lands to the State for the non-payment of taxes;

Mr. Mickle introduced

No. 249. A bill extending the provisions of an act therein named to the counties of Randolph, Jay, and Adams;

Also, No. 250. A bill fixing the time of holding courts in the 10th judicial circuit;

Mr. Ford introduced

No. 251. A bill to prevent malicious prosecution in criminal cases;

Mr. Ferry introduced

No. 252. A bill authorizing certain suits to be brought in the name of the State of Indiana;

Mr. McDonald introduced

No. 253. A bill to vacate the town of West Point, in Lake county;

Mr. Bowles introduced

No. 254. A bill to provide for the transfer of saline lands and funds in the county of Orange;

Mr. Gorman introduced

No. 256. A bill to organize the new county of Whitcomb;

Mr. Handy introduced

No. 260. A bill to amend the practice of law in the county of Shelby;

Mr. Wright introduced

No. 261. A bill to change the time for the General Assembly of the State of Indiana to convene;

Mr. Rich introduced

No. 262. A bill in relation to awards;

Mr. Engle introduced

No. 263. A bill to provide for the election of a prosecuting attorney in each county, and to reduce their fees and salaries;

Mr. Elder introduced

No. 265. A bill relative to the road law in Perry county;

Mr. Ferry introduced

No. 266. A bill to reinstate the records of Noble county;

Also, No. 267. A bill altering and fixing the times of holding courts in the 12th judicial circuit, and for other purposes;

Mr. Miller of V. introduced

No. 270. A bill to change the time of holding probate courts in Vanderburgh county;

Mr. Palmer introduced

No. 271. A bill to require the superintendent on public works to furnish a list of tolls to the Auditor of State;

Mr. Miller of C. introduced

No. 273. A bill to repeal a part of the militia law;

Mr. James introduced

No. 274. A bill to transfer the books, papers, &c., of the offices of the commissioner of Michigan road lands and agent of the town of Indianapolis, to State Auditor's office;

Also, No. 275. A joint resolution ammendatory of "A joint resolution on the subject of counting and cancelling State Bonds that have been received by the Treasurer of State," approved February 9, 1843; which were severally

Read a first time and passed to a second reading on to-morrow.

Mr. Verbrike introduced

No. 255. A bill to authorize county auditors to bid on property in certain cases;

Which was read the first and second times,

The rule being suspended therefor,

And referred to the committee on the judiciary;

Mr. Gorman introduced

No. 257. A bill to further reduce the expenses of Brown and Owen counties;

Which was read three several times,

The rule being suspended therefor,

And passed.

Ordered, That Mr. Gorman report the same to the Senate and ask their concurrence therein.

Mr. Simonson introduced

No. 258. A bill to amend the 11th article of the 12th chapter of the Revised Statutes of 1843;

Which was read the first and second times,

The rule suspended therefor,

And referred to the committee on ways and means.

Mr. Bowles introduced

No. 259. A bill to provide for the erection of a bridge across French Lick creek in the county of Orange;

Which was read three several times,

The rule being suspended therefor,

And passed.

Ordered, That the clerk report the same to the Senate and ask their concurrence therein.

Mr. Nutter introduced

No. 264. A bill as to jurors in Union county;

Which was read a first and second times,

The rule being suspended therefor, when,

On motion,

The same was amended by extending the provisions thereof to the counties of Franklin, Rush, St. Joseph, Montgomery, Tippecanoe, Clark, Laporte, and Vermillion;"

Mr. Reed moved that it be further amended by making its provisions general;

Which motion pevailed.

Then,

On motion of Mr. Moore,

The said bill as amended was laid on the table.

Mr. Hurlbut introduced

No. 268. A bill to amend the road law;

Also, No. 279. A bill to amend the road law;
Which were severally read the first and second times,
The rule being suspended therefor,
And referred to the committee on roads.

Mr. Cuppy introduced

No. 269. A bill to provide for a more efficient mode of expending the road tax in the several counties therein named;
Which was read the 1st and second times,
The rule being suspended therefor,
And ordered to be engrossed for a third reading on to-morrow.

Mr. Allen of L. introduced

No. 272. A bill vesting the duty of school commissioner in the county treasurer in certain counties;

Mr. Parker introduced

No. 276. A bill declaring a misprint in the Revised Statutes of 1843;
Which were severally read three several times,
The rule being suspended therefor,
And passed.
Ordered, That the clerk report the same to the Senate and ask its concurrence therein.

Mr. Gorman introduced

No. 277. A bill for the relief of David D. Weddle of Brown county;
Also, No. 278. A bill in relation to a state road in Monroe county, and other purposes;
Which were severally read the first and second times,
The rule being suspended therefor,
And ordered to be engrossed for a third reading on to-morrow.

Mr. Cuppy introduced

No. 280. A bill relative to the assessment of canal lands; which was
Read a first time and passed to a second reading on to-morrow.

Mr. Harrison introduced

No. 281. A bill to preserve the purity of elections;
Which was read a first time,
When Mr. Smith moved to reject the same;
And the ayes and noes being demanded by Messrs. Smith and Bowles:

Those who voted in the affirmative are,

Messrs. Athon, Barrett, Boone, Burton, Chambers, Clark of Tippecanoe, Cuppy, Elder, Gilbert, Hobbs, Hostetter, Kelly, McAlister, McClure, McConnell, Miller of Crawford, Miller of Vanderburgh, Montgomery, Moore, Nees, Nutter, O'Neal, Robbins, Roberts of Putnam, Saffer, Seller, Simonson, Smith, Spicknall, Turman, and Mr. Speaker.—31.

Those who voted in the negative are,

Messrs. Allen of Laporte, Allen of Putnam, Barbour, Bearss, Blakemore, Bowles, Chapman, Clark of Hamilton, Coffin, Conner, Dowling, Edger, Edmonston, Engle, Ferry, Foley, Ford, Forseman, Fuller, Garrett, Gorman, Gregory, Halbert, Handy, Hannah, Hardin, Harris. Harrison, Helwig, Hiatt, Hodges, Holloway, Huddleston, Hurlbut, Keimer, Kerr, Lee of Jefferson, Lee of Posey, Logan of Pike, Logan of Washington, Macy, McRae, Mickle, Montague, Mooney, Morgan, Norvell, Palmer, Parker, Reed, Rich, Roberts of Laporte, Shelby, Simpson, Tevis, Verbrike, Williams and Williamson. —56.

So the bill was not rejected.

It was then read a second time and referred to the committee on elections.

Mr. Fuller introduced

No. 282. A bill regulating the road law in Warrick;

Which was read three several times,

The rule being suspended therefor,

And passed.

Ordered, That the clerk report the same to the Senate and ask their concurrence therein.

On motion,

The following message was taken up, which was reported from the Senate on yesterday, by Mr. Doran, their Assistant Secretary:

Mr. Speaker :

I am instructed by the Senate to inform the House of Representatives that the Senate has adopted the following resolution:

Resolved, That the Senate will, the House of Representatives concurring therein, proceed to the election of a Public Printer, to fill the vacancy occasioned by the resignation of Delana R. Eckles, on to-morrow the 6th inst. at 10 o'clock, A. M.

In which the concurrence of the House is respectfully requested.

On motion of Mr. Gorman,

The said resolution in said message mentioned, was reciprocated.

Ordered, That the Senate be informed thereof.

Mr. Logan of W. introduced

No. 283. A bill to establish an additional place of holding elections in Jackson township, in the county of Washington, accompanied with a petition on the same subject; which bill was

Read a first time and passed to a second reading on to-morrow.

Mr. Hobbs introduced

No. 284. A bill to locate a state road on the line between the counties of Lagrange, Steuben, Noble, and DeKalb;

Which was read three several times,

The rule being suspended therefor,

And passed.

Ordered, That the clerk report the same to the Senate and ask their concurrence therein.

Mr. O'Neall introduced

No. 285. A bill to repeal certain sections of an act therein named;

Which was read a first and second times,

The rule being suspended therefor,

And referred to the committee on education.

Mr. Gregory asked and obtained leave to introduce the following resolution:

Resolved, That the Senate be invited to attend in the Hall of the House of Representatives instanter, for the purpose of proceeding to the election of a State Printer, to fill the vacancy of Delana R. Eckles, resigned, and that seats be provided for them on the right of the Speaker's chair;

Which was adopted.

Whereupon the Senate came into the Hall of the House of Representatives and took their seats on the right of the Speaker's chair, the President of the Senate on the right of the Speaker, and proceeded by vote, *viva voce*, to the election of a State Printer, and on the first vote

The following members voted for Jacob P. Chapman,

Messrs. Akin, Berry, Carr of J., Carr of L., Chapman of the Senate, Davis of D. and M., Dobson, Duzan, Herriman, Hoover, Jones, Kennedy, Leviston, Major, Miller, Mitchell, Parks, Reed, Ricthey, Shanks, Sinclear, Tannehill, Wood, Athon, Barbour, Boone, Bowles, Burton, Byers, Chambers, Chapman of the House, Clark of Tippecanoe, Cowen, Cuppy, Edger, Elder, Engle, Ferry, Fuller, Gorman, Halbert, Handy, Hardin, Helwig, Hostetter, James, Jones of Fountain, Jones of Franklin, Keimer, Kelly, Logan of Pike, Logan of Washington, Macy, McAlister, McClure, McConnell, McDonald, McRae, Mickle, Miller of Crawford, Montgomery, Mooney, Moore, Norvell, O'Neall, Palmer, Robbins, Saffer, Simonson, Spicknall, Turman, Williams, Wright and Mr. Speaker.—74.

Those who voted for Jesse C. Douglas are,

Messrs. Alexander, Bradley, Buell of W., Burke, Cornett, Cotton, Davis of F., Defrees, Ewing, Farmer, Henry, Hodge, Hutton Moore

of the Senate, Morgan of the Senate, Orth, Pennington, Pitcher, Reeve, Rayburn, Sands, Stanford, Todd, Walpole, Allen of Laporte, Allen of Putnam, Barrett, Bearss, Blakemore, Clark of Hamilton, Coffin, Conner, Dowling, Foley, Ford, Forseman, Garrett, Gilbert, Gregory, Hannah, Harris, Harrison, Hiatt, Hobbs, Hodges, Holloway, Huddleston, Hurlbut, Kerr, Lee of Jefferson, Lee of Posey, Miller of Vanderburgh, Montague, Morgan of the House, Nees, Nutter, Parker, Reed, Rich, Roberts of Laporte, Roberts of Putnam, Seller, Shelby, Simpson, Smith, Sutherland, Tevis, Verbrike, Williamson, and Wolfe—70.

Mr. Noel received the vote of Mr. Wilber.

Jacob P. Chapman having received a majority of all the the votes given, was, by the President of the Senate, in the presence of both Houses, declared duly elected Public Printer for the State of Indiana, to serve as such for the term of three years, from and after the expiration of the term of service of the present incumbent.

The President of the Senate adjourned the convention.

The Senate then retired to their chamber.

Mr. Simonson presented the following communication from "J. L. S." to-wit:

"*January the 2d*, 1844.

Mr. J. S. Simonson,

Sir:—I think the slip that you find enclosed within, should occupy a place on the Journal of Indiana, and I send it to you to see what you think of it; the Rights of Woman has been neglected too long already; you can see from this slip that several of the States have acted on it. "A hint to the wise is sufficient."

J. L. S———."

The following is the "*slip*" mentioned in the above communication;

THE RIGHTS OF WOMEN.

The Senate of Tennessee has passed a bill, by a very large majority, to secure to married women the use and enjoyment of their own property. A similar law, we think, has been passed in Louisiana, Mississippi, and Maryland. For several years, Judge Hertel, of this city, brought the subject before the Legislature, and sustained it with great zeal and ability. A bill, we believed, passed one House, and slept in the other, and we hope some one of our city delegation will collect the documents and have the matter in charge. It is time to do justice to the unprotected—to the widow and the orphan. This is no

question of gallantry, as some in the South have termed it, and urged its adoption; it is one of strict equity. It is proposed to give to the wife the undisturbed control of her own estate after marriage, which she had before, it is intended to prevent her property passing out of her hands by the operation of law, without her consent. It is a measure which can injure no one—it takes from no man anything belonging to him, and secures to the wife the property which she possessed before marriage, and which never should be made liable for a husband's debts; and such a law, rightful in itself, would prevent the ruinous consequences of unguarded speculation, and probably save the wife, the husband, and children from starvation. A woman is seldom, or ever, consulted by her husband, in his speculating, and probably wild prospects; why, therefore, should her property be sacrificed to pay his losses? Why should the law compel her to surrender her private resources, her possessions before marriage—the legacy probably of her parents, to meet the liabilities of her husband? There is sound policy also in passing such a law; a man may not be wealthy of credit himself, and yet he may receive credit liberally, from the conviction that if he has no property, his wife has; and that property can be seized to pay his debts. Again, such a law would be an effectual check on fortune hunters—on those moustached dandies, who marry to better their own condition, and calculate upon their wife's fortune to sport a curricle and pair, visit the clubs and loose a cool thousand occasionally, at Faro. Independent of the expediency and propriety of such a law, it is called for by dictates of humanity and justice, wronging no one, and carrying out a domestic policy as well as a conservative principle; at the same time we are free to confess, in order to check unnecessary extravagance on the part of the wife, that a provision should be introduced in the law, requiring the sanction of the husband to bind him in the payment of the debts of the wife.

Which was,

On motion of Mr. Simonson,

Referred to the committee on the judiciary.

On motion of Mr. McAlister,

Joint resolution of the Senate

No. 13. A joint resolution explanatory of an act entitled "An act for the relief of Jesse J. Burton and Joseph Luther," approved Feb. 2, 1843, and an act entitled "An act for the relief of Nathan Burchfield," approved Feb. 11, 1843, and for other purposes;

Was taken from the files and read the third time,

When Mr. Gorman moved to recommit the same with the following instructions, insert:

"*Provided*, That Joseph H. Hendricks shall hereafter look exclusively to the suspended debt for his claim of $26,000."

Mr. Barbour moved the previous question,

Which was seconded by the House.

The question is,

Shall the main question be now put?

And the ayes and noes being demanded by Messrs. Gorman and Foley:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Allen of Putnam, Athon, Barbour, Barrett, Bearss, Blakemore, Boone, Bowles, Burton, Byers, Chambers, Clark of Hamilton, Clark of Tippecanoe, Cowen, Cuppy, Dowling, Edger, Elder, Engle, Ferry, Ford, Forseman, Fuller, Garrett, Hannah, Hardin, Harris, Harrison, Hiatt, Helwig, Hobbs, Hodges, Holloway, Hostetter, Huddleston, Hurlbut, James, Jones of Franklin, Keimer, Kelly, Lee of J., Logan of Pike, Logan of Washington, McAlister, McClure, McConnell, McDonald, McRae, Mickle, Miller of Crawford, Montgomery, Mooney, Nees, Palmer, Parker, Robbins, Roberts of Laporte, Roberts of Putnam, Saffer, Seller, Shelby, Simpson, Spicknall, Sutherland, Turman, Verbrike, Williams, Williamson, and Mr. Speaker—69.

Those who voted in the negative are,

Messrs. Chapman, Coffin, Conner, Foley, Gilbert, Gorman, Gregory, Handy, Kerr, Lee of Posey, Miller of Vanderburgh, Montague, Morgan, Nutter, Reed, Rich, Simonson, Smith, Tevis, Wolfe, and Wright—21.

So the main question was put, to-wit:

Shall the said joint resolution pass?

And the ayes and noes being demanded by Messrs. Gorman and Barbour:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Allen of Putnam, Athon, Barbour, Barrett, Bearss, Blakemore, Bowles, Burton, Byers, Clark of Hamilton, Clark of Tippecanoe, Cowen, Cuppy, Edger, Engle, Elder, Ferry, Ford, Forseman, Fuller, Hannah, Hardin, Harris, Harrison, Helwig, Hiatt, Hobbs, Hodges, Holloway, Hostetter, Huddleston, James, Jones of Franklin, Keimer, Kerr, Lee of Jeff., Logan of Pike, McAlister, McClure, McConnell, McDonald, McRae, Mickle, Miller of Crawford, Montgomery, Mooney, Nees, Palmer, Parker, Reed, Robbins, Roberts of Laporte, Roberts of Putnam, Seller, Simpson, Shelby, Spicknall, Sutherland, Turman, Verbrike, Williams, Williamson, and Mr. Speaker—64.

Those who voted in the negative are,

Messrs. Chambers, Chapman, Coffin, Conner, Dowling, Foley, Garrett, Gilbert, Gorman, Gregory, Handy, Hurlbut, Kerr, Lee of Posey, Logan of Washington, Macy, Miller of Vanderburgh, Montague, Morgan, Norvell, Nutter, O'Neal, Saffer, Simonson, Smith, Tevis, Wolfe, and Wright—28.

So the joint resolution passed.

Mr. Gorman moved to amend the title thereof as follows:

Add "And to tax the people for the payment of the $26,000 claim of Joseph H. Hendricks;"

When Mr. Clark of H. moved the previous question,

Which was seconded by the House.

The question is,

Shall the main question be now put?

It was decided in the affirmative.

The main question was then put, to-wit:

Shall this be the title of the said joint resolution?

"A joint resolution explanatory of an act entitled "An act for the relief of Jesse J. Burton and Joseph Luther," approved Feb. 2, 1843, and an act entitled "An act for the relief of Nathan Burchfield," approved Feb. 11, 1843, and for other purposes;

It passed in the affirmative.

Ordered, That the clerk inform the Senate thereof.

The following message was received from the Senate by Mr. Otto, their Principal Secretary:

Mr. Speaker:

The Senate has passed an engrossed joint resolution of the House of Representatives, without amendment, of the following title:

No. 2. A joint resolution in relation to refunding the fine imposed upon General Andrew Jackson, and for other purposes.

The following message was received from His Excelleny the Governor by Mr. Kinder, his Private Secretary:

Mr. Speaker:

I am instructed by His Excellency the Governor, to inform the House of Representatives, that he did on this day sign and approve the following acts:

No. 10. An act for the relief of Persis Hubbard, a minor heir of Brigham Hubbard, deceased;

No. 73. An act amendatory and supplemental to an act entitled "An act providing for the election of three school commissioners in

township No. 14 north, of range No. 7 west, in Parke county," approved Jan. 13, 1842;

No. 94. An act relating to the proof of title to State lands;

No. 104. An act regulating the licensing of auctioneers in the city of Fort Wayne;

No. 125. An act to vacate a certain alley in the town of Bloomington, Monroe county;

No. 123. An act declaring a certain road therein named a State road;

No. 122. An act to authorize Charles Nelson to erect a mill dam across the Wabash river in Adams county;

No. 85. An act to authorize the school commissioners of Pike county to loan the common school fund of said county on personal security;

No. 88. An act vacating a certain alley therein named in the town of Delphi;

No. 98. An act for the relief of George Belshaw;

No. 110. An act to change the name of David Barker to the name of David Dobbins;

No. 30. An act incorporating the first Presbyterian church of Dacatur;

No. 12. An act for the relief of Michael Fitzgibbon;

All of Which originated in the House of Representatives.

REPORTS FROM STANDING COMMITTEES.

Mr. Parker, chairman of the judiciary committee, made the following report:

Mr. Speaker:

The judiciary committee, to which was referred bill No. 42, of the House, subjecting mills situate in the bed of navigable streams to taxation, with instructions to confine its operation to the county of Martin, agreeably to order have so modified said bill, and now report the same back and ask to be discharged;

Bill No. 42. In the said report mentioned, was then,

On motion of Mr. O'Neal,

Laid on the table.

Mr. Parker, chairman of the same committee, made the following report:

Mr. Speaker:

The judiciary committee, to which was referred two several resolutions of the House, in reference to a discrepancy that has occurred in the Revision of 1843, on the subject of the sessions of the board of county commissioners, have had that matter under consideration,

and have directed me to report the accompanying bill in remedy of the difficulty, and recommend its passage;

No. 286. A bill changing the sessions of the county boards; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Hodges, from the committee on education, made the following report:

MR. SPEAKER:

The committee on education, to whom was referred a resolution of the House instructing them to enquire into the expediency of repealing so much of the 60th section of the school laws which authorizes the district trustees to receive from the county auditor warrants on the school commissioner, have had that subject under consideration and directed me to report that in their opinion it is inexpedient to legislate on that subject, and ask to be discharged from the further consideration thereof;

Which report was concurred in, and the committee discharged from the consideration of that subject;

Mr. Chapman, chairman of the committee on roads, made the following report:

MR. SPEAKER:

The committee on roads, to whom was referred bill No. 31 of the House, a bill to locate a state road in the county of Davis, also, bill No. 19, to vacate a state road therein named, have had the same under consideration, and have directed me to report the said bills back to the House without amendment, and recommend their passage;

Bills No. 31 and 19 in the said report mentioned, were then ordered to be engrossed for a third reading on to-morrow.

Mr. Chapman also made the following report:

MR. SPEAKER:

The committee on roads, to whom was referred bill of the Senate, No. 62, a bill to repeal an act entitled "An act relating to public roads and highways," approved February 17, 1838, approved January 29, 1842, have had the same under consideration, and a majority of said committee have directed me to report the same back to the House without amendment and recommend its passage;

Bill No. 62, of the Senate, in the said report mentioned, was ordered to a third reading on to-morrow.

Mr. Palmer, from the committee on canals, &c., made the following report:

Mr. Speaker :

The committee on canals and internal improvements, to which was referred the petition of John Cooprider of Clay county, praying an allowance for damage done him by the construction of the Cross-Cut canal, have had that subject under consideration, and have directed me to report the accompanying bill and recommend its passage, and ask to be discharged from the further consideration of this subject;

No. 287. A bill for the relief of John Cooprider; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Ferry, chairman of the committee on corporations, made the following report:

Mr. Speaker:

The committee on coporations, to whom was referred the petition of Wiley L. Bates and others, citizens of the town of Indianapolis, praying the amendment of the several acts of incorporation of said town, so that certain officers thereof shall be elected at the annual election therein, have had the same under consideration, and have directed me to report the following bill and recommend its passage;

No. 288. A bill authorizing the election of certain officers in the town of Indianapolis; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Allen of L., from the committee on corporations, made the following report:

Mr. Speaker:

The committee on corporations, to which was referred the petition and remonstrance of the citizens of Laporte, in relation to the amendment of the charter of said town, have had the same under consideration, and have instructed me to report the following bill and recommend its passage:

No. 289. A bill in relation to road tax in the town of Laporte;

Which was read three several times,

The rule being suspended therefor,

And passed.

Ordered, That the clerk report the same to the Senate and ask their concurrence therein.

Mr. Ferry, chairman of the same committee, made the following report:

Mr. Speaker :

The committee on corporations, to whom has been referred the petition of R. C. Greer and others, citizens of the town of Delphi, Carroll county, praying the incorporation of a company to furnish the town of Delphi with wholesome water, have had the same under consideration, and have directed me to report the following bill and recommend its passage:

No. 290. A bill incorporating the Delphi Water Works company;

Which was read the 1st and second times,

The rule being suspended therefor,

When Mr. Ferry moved to amend by adding the following section:

"Sec. —. That this act shall have the force and effect of a general act, and shall be so construed and need in no case be specially pleaded."

Which amendment was adopted.

Then,

On motion,

The rule was further suspended, the bill considered as engrossed, and read the third time and passed.

Ordered, That the clerk report the same to the Senate and ask their concurrence therein.

Mr. Ferry, chairman of the same committee, made the following report:

Mr. Speaker:

The committee on corporations, to whom was referred bill of the House No. 191, entitled a bill to amend an act entitled "An act granting to the citizens of Madison and Lawrenceburgh a city charter," have had the same under consideration, and have directed me to report the same back to the House without amendment and recommend its passage;

Bill No. 191, in the said report mentioned, was then ordered to be engrossed for a third reading on to-morrow.

Mr. Ferry also made the following report:

Mr. Speaker:

The committee on corporations, to whom was referred bill of the House No. 192, entitled a bill to amend an act entitled "An act to incorporate the Vevay and Napoleon turnpike company," have had the same under consideration, and have directed me to report the same back to the House without amendment and recommend its passage;

No. 192, in the said report mentioned, was then ordered to be engrossed for a third reading on to-morrow.

Mr. Ferry also made the following report:

MR. SPEAKER:

The committee on corporations, to whom was referred bill of the House, No. 201, entitled "A bill to incorporate the Porter county manufacturing company," have had the same under consideration, and have directed me to report the same back to the House without amendment and recommend its passage;

No. 201, in said report mentioned, was considered as engrossed, read the third time and passed.

Ordered, That the clerk report the same to the Senate and ask their concurrence therein.

Mr. Ferry, from the same committee, made the following report:

MR. SPEAKER:

The committee on corporations, to whom was referred a petition upon the subject of incorporating a German Evangelical church in the town of Indianapolis, have had the same under consideration, and have directed me to report the following bill and recommend its passage:

No. 291. A bill to incorporate the Union Evangelical or Lutheran and German Reformed church, in Indianapolis; which was

Read a first time and passed to a second reading on to-morrow.

REPORTS FROM SELECT COMMITTEES.

Mr. Roberts of P., from a select committee, made the following report:

MR. SPEAKER:

The select committee, to which was referred a petition of sundry citizens of Putnam county, praying to vacate a part of a state road, have had that subject under consideration, have directed me to report the following bill and recommend its passage, and ask to be discharged from the further consideration thereof:

No. 292. A bill to vacate a part of a state road in Putnam county;

Which was read a first and second times,

The rule being suspended therefor,

And ordered to be engrossed for a third reading on to-morrow.

Mr. Edger, from a select committee, made the following report:

Mr. Speaker:

The select committee to which was referred the petition of David Heaston and others, citizens of the county of Randolph, praying a reduction of the fees, salary, and perquisites of the auditor of that county, have had the same under consideration, and have directed me to report the following bill and recommend its passage:

No. 293. A bill regulating the fees of auditor in the county of Randolph; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Wright, from a select committee, made the following report:

Mr. Speaker:

The select committee, to whom was referred the petition of sundry citizens of Switzerland county, praying for a repeal of a certain law authorizing the transfer of the surplus funds of the several counties, have had the same under consideration, and directed me to report the following bill and recommend its passage:

No. 294. A bill to repeal so much of an act entitled "An act to provide for the transfer of the county surplus funds out of the hands of the several agents or trustees to the county treasurer so far as the same relates to the county of Switzerland; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Mooney, from a select committee, made the following report:

Mr. Speaker:

The select committee, to whom was referred the petition of Abraham Love and a great many others, citizens of Jackson county, praying relief in a certain case, have, according to order, had the same under consideration, and have directed me to report to the House the following bill and recommend its passage:

No. 295. A bill for the relief of the heirs and legal representatives of James Shoemaker, deceased; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Conner, from a select committee, made the following report:

Mr. Speaker:

The select committee, to whom was referred a bill of the House, No. 177, entitled "A bill attaching certain territory to the counties of Miami and Fulton," and also a remonstrance on the same subject, have directed me to report said bill back without amendment, and without any recommendation on the part of the committee, to be dis-

posed of by the House: the committee ask to be discharged from any further consideration of that subject;

Which report was concurred in.

When Mr. Blakemore moved to re-commit the bill to the same select committee with instructions that the said committee report whether notice had been legally given, &c., and that the committee amend the bill by striking out so much as requires any portion of the Miami Reserve to be added to Miami county;

Which instructions were not adopted.

Then,

On motion,

The bill was re-committed to the same select committee.

On motion,

Messrs. Robbins and Coffin were added to the committee.

Mr. Conner also made the following report:

MR. SPEAKER:

The select committee, to whom was referred a bill of the House, No. 81, entitled "A bill creating the county of Tipton, together with several petitions on the same subject," have had that matter under consideration, and have directed me to report the following bill as an amendment to the original bill, to be disposed of by the House, the committee ask to be discharged from any further consideration of that subject;

The amendment of the committee to bill No. 81, in said report mentioned was concurred in.

Then,

On motion of Mr. Coffin,

The bill with the amendment was re-committed to the same select committee.

Mr. Forseman, from a select committee, made the following report:

MR. SPEAKER:

The select committee, to which was referred the petition of John Carlisle, praying for an additional power to run another run of mill stones in his mill, situated on the Central canal, in the town of Indianapolis, in compensation for alleged damage done to him, in consequence of the State failing as alleged, to fulfil her contract to said Carlisle, have had the same under consideration, and are of the unanimous opinion, that it is inexpedient to legislate on that subject, and ask to be discharged from the further consideration of the same;

Which report was concurred in.

Mr. Wright, from a select committee, made the following report:

Mr. Speaker.

The select committee, to which was referred bill of the Senate No. 42, a bill to revive the 1st section of an act entitled an act to amend an act entitled "An act authorizing the appointment of pilots at the falls of the Ohio in this State," approved Feb. 8, 1841, have had the same under consideration, and have directed me to report the same back with one amendment, to-wit: "Strike out from the enacting clause" and insert the accompanying amendment:

Which amendment of the committee was not concurred in;

When, after protracted discussion thereon,

Mr. Norvell moved the previous question,

Which was seconded by the House.

And the question being,

Shall the main question be now put?

It was decided in the affirmative.

The main question was then put to-wit:

Shall the bill be ordered to a third reading on to-morrow?

And the ayes and noes were demanded by Messrs. Wright and Smith:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Athon, Barbour, Barrett, Bearss, Burton, Byers, Chambers, Conner, Cowen, Cuppy, Dowling, Elder, Ferry, Forseman, Garrett, Gilbert, Gorman, Handy, Hannah, Hardin, Harris, Harrison, Helwig, Hodges, James, Jones of Franklin, Keimer, Kelly, McAlister, McClure, McRae, Montgomery, Mooney, Moore, Nees, Norvell, Nutter, Palmer, Parker, Reed, Roberts of Putnam, Saffer, Shelby, Simonson, Simpson, Sutherland, Turman, Verbrike, Williamson, Wolfe and Mr. Speaker—52.

Those who voted in the negative are,

Messrs. Allen of Putnam, Blakemore, Boone, Bowles, Chapman, Clark of Hamilton, Clark of Tippecanoe, Edger, Engle, Foley, Fuller, Gregory, Halbert, Hiatt, Hobbs, Holloway, Huddleston, Hurlbut, Kerr, Lee of Jefferson, Lee of Posey, Logan of Pike, Logan of Washington, Macy, McConnell, McDonald, Mickle, Miller of Crawford, Miller of Vanderburgh, Montague, Morgan, Rich, Robbins, Seller, Smith, Spicknall, Tevis, and Wright—38.

So said bill was ordered to a third reading on to-morrow.

Mr. Chapman, from a select committee, made the following report:

Mr. Speaker:

The select committee, to whom was referred the petition of sundry citizens of Hancock county, praying additional fees be allowed the auditor of that county, have had the same under consideration and have directed me to report, that the county commissioners by a special law have the power to raise the salary of the said auditor, but have refused and do still refuse to do so, and it is presumed that if the commissioners who are presumed to know the duties and labor to be performed by the auditor refuse to do any thing in his case, we think the legislature had better let it be: we therefore ask to be discharged from the further consideration of the said case;

Which report was concurred in.

Mr. Gregory, from the select committee on the new Penitentiary, made the following report:

Mr. Speaker:

The select committee on the new Penitentiary, to whom was referred a communication from Mr. Pratt, contractor on said work, and also a communication from Mr. Elder, late an architect on the same, have had the same under consideration, and have directed me to report the following resolution, and recommend its adoption:

Resolved, That one hundred copies of said communications be printed for the information of this House;

Which report and resolution were not adopted.

Then,

On motion,

The House adjourned until half-past 1 o'clock P. M.

Half-past 1 o'clock P. M.

The House met.

When Mr. Tevis moved to reconsider the vote taken on the rejection of No. 203, of the House, entitled "A joint resolution supplemental to a joint resolution authorizing the Agent of State to settle with J. J. Cohen, jr., & Brothers," approved Feb. 3, 1843;

And after debate thereon,

Mr. Rich moved the previous question;

Which was seconded.

And the question being,

Shall the main question be now put?

Was decided in the affirmative.

The main question was then put, to-wit:

Shall said vote be re-considered?

And the ayes and noes being demanded by Messrs. Moore and Logan of W.:

Those who voted in the affirmative are,

Messrs. Barbour, Bearss, Blakemore, Bowles, Dowling, Foley Ford, Forseman, Garrett, Gorman, Gregory, Hannah, Harrison, Hodges, Holloway, Hurlbut, James, Kerr, Lee of Jefferson, Lee of Posey, McAlister, Nutter, Parker, Reed, Roberts of Laporte, Saffer, Seller, Shelby, Simonson, Smith, Sutherland, Tevis, Williams, and Williamson—34.

Those who voted in the negative are,

Messrs. Allen of Putnam, Athon, Barrett, Boone, Burton, Byers, Chambers, Chapman, Clark of Hamilton, Clark of Tippecanoe, Conner, Cowen, Cuppy, Edger, Elder, Engle, Fuller, Ferry, Gilbert, Halbert, Handy, Hardin, Harris, Helwig, Hiatt, Hobbs, Hostetter, Huddleston, Jones of Franklin, Keimer, Kelly, Logan of Pike, Logan of Washington, Macy, Matheny, McClure, McConnell, McDonald, McRae, Miller of Crawford, Miller of Vanderburgh, Montague, Montgomery, Mooney, Moore, Morgan, Nees, Norvell, O'Neal, Palmer, Rich, Robbins, Roberts of Putnam, Simpson, Spicknall, Turman, Verbrike, and Mr. Speaker.—58.

So said vote was not re-considered.

The Speaker laid before the House the following communication from the Auditor of State:

AUDITOR OF STATE'S OFFICE,
January 5th 1843.

Hon. A. L. Robinson,

Speaker of the House of Representatives:

SIR:—Enclosed, please find communications from the Treasurers of Spencer, Noble, Scott, and Pike counties, relative to the salaries of their respective auditors. These are forwarded in accordance with the resolution of the House upon that subject. Please lay these before the House of Representatives.

Respectfully,
Your ob't. serv't.
M. MORRIS,
Auditor Public Accounts.

Which was referred to the committee on ways and means.

Mr. Engle, from a select committee, made the following report:

Mr. Speaker:

The select committee, to whom was referred the bill of the House, No. 211, entitled "An act to provide for keeping in repair the turnpike road from Lafayette to Crawfordsville," have examined its provisions, and directed me to report it back to the House and recommend its passage, the committee ask to be discharged from the further consideration of the subject;

Which report was concurred in, and said bill therein named ordered to be engrossed for a third reading on to-morrow.

Mr. Montague, from a select committee, made the following report:

Mr. Speaker:

The select committee, to whom was referred the petition of the citizens of the county of Decatur, relative to the collection of the revenue, have had that subject under consideration, and direct me to report it back and recommend that it lay on the table, and that the committee be discharged from the consideration thereof;

Which report was concurred in.

Mr. Boone, from a select committee, made the following report:

Mr. Speaker:

The committee to whom was referred the petition of sundry persons of Boone county, praying for an alteration in the present mode of electing supervisors in said county, have had the same under consideration, and have directed me to report the following bill and recommend its passage:

No. 296. A bill to provide for the election of supervisors of roads by road districts, in Boone county;

Which was read a first and second times,

The rule being suspended therefor,

And ordered to be engrossed for a third reading on to-morrow.

Mr. Holloway, from a select committee, made the following report:

Mr. Speaker:

The select committee, to which was referred a resolution requiring them to enquire into the expediency of compounding with the Superintendents of the State Prison to abolish the present contract for the erection of a new Prison, and of the expediency of making two Prison districts, the one in its present location, and the other north of

the National road, also, of employing the convicts of the northern district in the erection of a Lunatic and Deaf and Dumb Asylum, have devoted considerable time and labor in the consideration of the matters thus referred to them, have directed me to report the following joint resolution and recommend its passage:

No. 297. A joint resolution respecting the State Prison.

Which was read a first and second times,

The rule being suspended therefor,

When Mr. Rich moved to amend the joint resolution by inserting "Auditor and Treasurer of State," after the word "Governor" wherever it occurs;

Which motion did not prevail.

Then,

On motion,

The rule was further suspended, and the joint resolution was read a third time,

And passed.

Ordered, That the clerk report the same to the Senate and ask its concurrence therein.

Mr. Holloway, from a select committee, made the following report:

Mr. Speaker:

The select committee, to which was referred the petition of sundry citizens of Richmond, soliciting the repeal of an act entitled "An act to amend an act entitled "An act to incorporate the city of Richmond, Wayne county, Indiana," approved Jan. 27th, 1842, have had the subject matter of that petition under consideration, and have directed me to report the following bill:

No. 298. A bill to repeala portion of the charter of the city of Richmond, in Wayne county; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Edger, from a select committee, made the following report:

Mr. Speaker:

The select committee, to which was referred the petition of H. L. Seral and others, citizens of the county of Randolph, in relation to the equalization of the road tax therein, have had the same under consideration, have directed me to report as follows: the object of the prayer of said petitioners will be effectually attained through the medium of a bill now pending before this House, and ask to be discharged from the further consideration thereof;

Which report was concurred in.

Mr. Gilbert, from a select committee, made the following report:

Mr. Speaker:

The select committee, to whom was referred the petition of Lewis Reese, and the petition of James Johnson, each of said petitions pray for the change of the location of certain state roads in Delaware county, have, according to order, had the same under consideration, and am instructed by the committee to report the following bill, to-wit:

No. 299. A bill changing and relocating certain state roads in Delaware county; which was

Read a first time and passed to a second reading on to-morrow.

RESOLUTIONS OF THE HOUSE.

On motion of Mr. Logan of W.,

Resolved That the judiciary committee be instructed to enquire into the expediency of so amending the 374th section of the 30th chapter of the 14th article of the Revised Statutes, making provisions for the distribution of the surplus estate of deceased persons, and the payment of legacies, so that after the term of five years or some other definite period shall have expired from the date of issuing letters of administration, the probate court in making an order of distribution, shall not require the distributees, previous to the reception of their respective shares, to file in the office of the clerk of such court a bond with sufficient security, conditioned for the refunding of their ratable portions of the estate distributed to them, with leave to report by bill or otherwise.

On motion of Mr. Chapman,

Resolved,, That the committee on education be requested to inquire into the expediency of abolishing the office of school commissioner, and enacting a law that each congressional township shall transact all school business by trustees or other officers, and report by bill or otherwise.

On motion of Mr. Dowling,

Resolved, That the use of the Hall of the House of Representatives be granted to the members of the Democratic Convention, to assemble at Indianapolis, on the 8th of January, instant., and that when this House adjourns it will not again meet until half-past 8 o'clock, on Tuesday morning, next.

Mr. Moore moved to lay the same on the table;

Did not prevail.

The resolution was then adopted.

On motion of Mr. Sutherland,

Resolved, That the judiciary committee enquire into the expediency of providing for filling the office of school commissioner, when vacant.

On motion of Mr. Barbour,

Resolved, That the President of the board of commissioners of the sinking fund be requested to furnish this House with a copy of the late report of the committees appointed at the November session of that board to examine the condition of that fund.

On motion of Mr. Verbrike,

Resolved, That the judiciary committee be instructed to enquire into the expediency of so altering the law regulating probate courts of the several counties in this State as to divide the State into probate circuits, and elect well qualified judges of law to preside over the same, with salaries equal to the importance of the offices they fill, taking into consideration at the same time, that the wealth of the whole country must pass under the review of those judges every thirty-five years, and upon the decision of the same hangs the hope of the widow, the orphan, and the parties concerned, and further considering the fees of said judges, contemplated in a bill now before this House, allowing probate judges two dollars per day, and whose salaries per annum would amount to about $25, which is totally insufficient to induce a competent judge of law to take the bench, or to induce others to qualify themselves to discharge the duties of the office, with leave to report by bill or otherwise.

On motion of Mr. Hardin,

Resolved, That the House will, the Senate concurring therein, proceed on Wednesday, the 10th inst., at 10 o'clock, A. M., to the election of a State Librarian.

Mr. Sutherland offered for adoption the following resolution:

Resolved, That during the remainder of the present session, in calling on committees for reports it shall be in order for Mr. Speaker to commence the call where he left off on the preceding day;

Which was not adopted.

Mr. Garrett offered for adoption the following resolution:

Resolved, That the committee on canals and internal improvements be, and they are hereby instructed to enquire into the expediency of making the canal scrip issued on the faith of the lands situated west of the mouth of the Tippecanoe river receivable for all canal lands; and also, to enquire into the expediency of making said scrip bear interest at the rate of six per cent per annum, with leave to report by bill or otherwise, as soon as practicable;

Which was not adopted.

Mr. Forseman offered for adoption the following resolution:

Resolved, That the committee on canals and internal improvements be instructed to enquire into the expediency of reporting a bill to this House confining the duties of the present general superintendent of Wabash and Erie canal to that line of canal west of Lafayette, and to provide for the election of a commissioner to superintend that part of said canal east of Lafayette;

Which was not adopted.

Mr. Conner, from the joint committee on enrolled bills, made the following report:

Mr. Speaker :

The joint committee on enrolled bills, report that they did, on the 6th day of January, present to His Excellency the Governor, for his signature, bills of the following titles, to-wit:

No. 88. An act vacating a certain alley therein named in the town of Delphi;

No. 12. An act for the relief of Michael Fitzgibbon;

No. 30. An act incorporating the first Presbyterian church of Decatur;

No. 10. An act for the relief of Persis Hubbard;

No. 73. An act amendatory and supplemental to an act entitled "An act providing for the election of three school commissioners in township No. 14 north, of range No. 7 west, in Parke county," approved Jan. 13, 1842;

No. 85. An act to authorize the school commissioner of Pike county to loan the common school fund of said county on personal security;

No. 122. An act to authorize Charles Nelson to erect a mill dam across the Wabash river in Adams county;

No. 125. An act to vacate a certain alley in the town of Bloomington, Monroe county;

No. 94. A bill relating to the proof of the title to State lands;

No. 104. A bill concerning the licensing of auctioneers in the city of Fort Wayne;

No. 110. An act to change the name of David Barker to that of David Dobbins;

No. 98. A bill for the relief of George Belshaw;

No. 123. A bill declaring a certain road in Steuben county a State road;

PETITIONS PRESENTED.

Mr. Miller of V., on leave, presented the petition of sundry citizens of Vanderburgh county, praying the passage of a law that all minor offences be tried by justices of the peace;

Which was referred to the committee on the judiciary.

Mr. Miller of V., also presented two remonstrances from citizens of said county of Vanderburgh, on the subject of the revenue and fees and salaries of officers of said county;

Which were referred to the committee on ways and means.

Mr. Simonson, on leave, presented the petition of Cutler & Chamberlain, in relation to a compilation of the laws relating to real property, conveyances, wills, executors, probate practice, and powers and duties of courts of law and chancery, treatises, resolutions, and ordinances of the General Government, relating to the public lands within the State of Indiana, with notes and references;

Which was read and referred to the judiciary committee.

Mr. Sutherland presented the petition of William Deford, praying a divorce;

Which was referred to the committee on education.

Mr. Harris presented the petition of Wm. Kellemyer, praying for a divorce;

Which was referred to the committee on the judiciary.

On motion of Mr. Norvell,

The House resumed the consideration of bill

No. 133. A bill changing the application of water power at the St. Mary's aqueduct, on the Wabash and Erie canal, from the propulsion of a saw mill to that of a grist mill;

Thereupon, the question recurred upon the proposed amendment of Mr. Roberts of P;

When Mr. McDonald moved to amend the proposed amendment as follows:

Amend by striking out all after the enacting clause and insert,

"That the assignee, his heirs, executors, or assigns, of the lease heretofore granted by the State to William Rockhill and Samuel Edsall, granting to said Rockhill and Edsall the use of a certain water power at the St. Mary's aqueduct, on the Wabash and Erie canal, be, and he is hereby authorized to use the amount or quantity of water to which he is now entitled under said lease for any purpose he may think propor: *Provided*, such use of the water does not injure any rights, interest, or property of the State, or of any person holding rights under the State, independent of the said lease of Rockhill and Edsall."

Sec. 2. This act shall take effect and be in force from and after its passage.

Which amendment to the proposed amendment, was adopted.

Then the question being,

Shall the amendment as amended be adopted?

It passed in the affirmative.

On motion of Mr. McDonald,

The bill was considered as engrossed, and read the third time, and passed.

Ordered, That the clerk report the same to the Senate and ask their concurrence therein.

The House then resumed the

ORDERS OF THE DAY.

No. 234. A bill for the relief of Martin C. Atkins.

Which was read the second time,

The question being taken,

Shall the bill be engrossed for a third reading?

It was decided in the negative.

No. 232. A bill for the relief of Hetty Clark of Harrison county;

Which was read a second time,

And lost on the question,

Shall the bill be engrossed for a third reading?

No. 236. A bill to change the name of Black Hawk to that of Mount Auburn;

No. 231. A bill to improve the navigation of Sugar creek;

Which were severally read the second time and ordered to be engrossed for a third reading on to-morrow.

No. 238. A bill to raise a revenue for State purposes, and to redeem Treasury Notes;

Which was read a second time,

When the House went into a committee of the whole thereupon, with Mr. Bowles in the chair, and after spending some time therein, the committee rose, and through its chairman reported the bill back to the House without amendment, and asked to be discharged from the consideration thereof;

Which report was concurred in, and the committee discharged.

Mr. McDonald moved to amend the bill by adding thereto the following section:

"Sec. —. That all debts owing by the person assessed, shall be deducted from the value of his personal property, and the balance shall be the amount returned as his assessment on personal property;"

Which was not adopted.

Mr. Ferry moved to amend as follows:

"Strike out so much of the bill as repeals the law heretofore exempting property from execution, and insert:

"That property exempt from taxation where that constitutes all the property owned by such persons;"

When Mr. Bowles moved the previous question,

Which was seconded by the House.

The question being,

Shall the main question be now put?

It was decided in the affirmative.

The main question was then put, to-wit:

Shall the bill be engrossed for a third reading on to-morrow?

And the ayes and noes being demanded by Messrs. Moore and Chapman:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Allen of Putnam, Athon, Barrett, Bearss, Bowles, Burton, Byers, Chambers, Clark of Hamilton, Conner, Dowling, Elder, Engle, Forseman, Gorman, Gregory, Handy, Hardin, Harrison, Hiatt, Hobbs, Holloway, Hostetter, Huddleston, James,

Kelly, Kerr, Lee of J., Lee of Posey, Logan of Pike, Logan of Washington, Macy, McAlister, McClure, McConnell, McRae, Miller of Vanderburgh, Montgomery, Mooney, Moore, Morgan, Norvell, Nutter, Parker, Reed, Rich, Roberts of Laporte, Shelby, Simonson, Simpson, Verbrike, Williams, Wolfe, and Mr. Speaker—54.

Those who voted in the negative are,

Messrs. Blakemore, Boone, Chapman, Clark of Tippecanoe, Coffin, Cuppy, Cowen, Edger, Ferry, Foley, Ford, Fuller, Garrett, Gilbert, Hannah, Harris, Helwig, Hodges, Hurlbut, Jones of Franklin, Keimer, McDonald, Mickle, Miller of Crawford, Montague, Nees, O'Neall, Palmer, Robbins, Roberts of Putnam, Seller, Smith, Spicknall, Sutherland, Tevis, Turman, and Williamson—37.

So the bill was ordered to be engrossed.

No. 235. A bill to alter the western boundary line of the county of Blackford, and attach part of Grant county thereto;

Which was read a second time, and

On motion of Mr. Bowles,

Laid on the table.

No. 224. A bill for the relief of justices of the peace;

Which was read the second and third times,

The rule being suspended therefor,

And passed.

Ordered, That the clerk report the same to the Senate and ask their concurrence therein.

No. 237. A bill to incorporate the Warren county canal company;

Which was read a second time, and referred to the committee on corporations.

On motion of Mr. Foley,

Bill No. 204. A bill to amend an act entitled "An act authorizing the issue of $5 Treasury Notes for the redemption of the $50 Treasury Notes now in circulation," approved Jan. 31, 1842, was taken from the files;

When Mr. Foley moved to re-commit the bill to the committee on ways and means, with the following instructions, to insert:

"*Provided*, That the proceeds of tolls and water rents received upon the Wabash and Erie canal, shall hereafter be received in par funds, which funds shall be pledged for the payment of the loan contemplated in the bill, and to further provide that the tolls on stone, corn and oats, and timber for building purposes, be reduced as near as can be, thirty-three per cent."

And after protracted debate thereon,

Mr. Roberts of P., moved the previous question,

Which was not seconded.

And before any action was had on said instructions,

On motion,
The House adjourned till Tuesday morning, half-past eight o'clock.

TUESDAY MORNING, JAN. 9, 1844.

The House met pursuant to adjournment.

PETITIONS &c. WERE THEN PRESENTED.

The Speaker laid before the House the remonstrance of 250 citizens of Carroll county, against removing the county seat of that county;
Which was read and referred to the judiciary committee.
Also, the petition of sundry citizens of Tippecanoe and Carroll counties, praying to have a bridge built across Deer creek, above the feeder dam;
Also, one other petition from the same, on the same subject;
And also, the petition of Wm. K. Miller and other citizens of Lockport, in Carroll county, praying to have certain water power be used at the lower lock, in said town;
Which were severally read and referred to the committee on canals, &c.
The Speaker also laid before the House the following communication from the President of the State Bank:

OFFICE OF SINKING FUND,
January 9, 1844.

To the Hon. the Speaker of the

House of Representatives:

In obedience to a resolution of the House of the 6th inst., requesting me to furnish the House with a copy of the late report of the committee appointed at the November session of the commissioners of the Sinking Fund, to examine the condition of that fund, I herewith submit that report with the papers referred to in it, and I respectfully request that they may be referred to the committee on the State

Bank or some other committee of the House, with instructions to examine and report thereon.

I have the honor to be,
Very respectfully,
Your ob't servant,
S. MERRILL.

Which were referred to the committee on the State Bank.

Mr. O'Neal asked and obtained leave to introduce the following preamble and resolution:

WHEREAS, the time for the adjournment of the present session of the General Assembly is near at hand, and whereas, there is a great many measures of vital importance to the people yet unacted upon, which are now on our files, and will be left among the unfinished busines, for remedy whereof:

Resolved, That from this time to the close of the session, this House will hold night sessions from half-past 6 o'clock, P. M., until half-past 9 o'clock, P. M.

Mr. Parker moved to lay the said resolution on the table.

And the ayes and noes having been demanded by Messrs. Moore and O'Neal:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Barrett, Bearss, Blakemore, Bowles, Chapman, Conner, Cowen, Foley, Forseman, Gilbert, Hannah, Harris, Hiatt, Holloway, Hostetter, Huddleston, Jones of Fountain Jones of Franklin, Kerr, Lee of Jeff., McDonald, Miller of Vanderburgh, Montague, Mooney, Morgan, Nutter, Parker, Reed, Roberts of Laporte, Sutherland, Tevis, Turman, Verbrike, Williamson, Wolfe, and Mr. Speaker—38.

Those who voted in the negative are,

Messrs. Allen of Putnam, Athon, Barbour, Burton, Byers, Chambers, Clark of Tippecanoe, Cuppy, Edger, Engle, Ferry, Ford, Garrett, Gorman, Gregory, Halbert, Handy, Hardin, Harrison, Helwig, Hodges, Hurlbut, Keimer, Kelly, Logan of Pike, Logan of Washington, McAlister, McClure, McConnell, McRae, Mickle, Miller of Crawford, Montgomery, Moore, Nees, Norvell, O'Neal, Palmer, Rich, Robbins, Roberts of Putnam, Saffer, Seller, Shelby, Simonson, Simpson, Smith, Spicknall, Williams, and Wright—51.

So said preamble and resolution were not laid on the table.

Mr. Moore moved to amend as follows, insert:

"And this House will not attend to any thing but of a local nature;"

Which was adopted.

Mr. Hannah moved to lay the preamble and resolution as amended on the table;

Which did not prevail.

Mr. Parker moved to amend as follows, insert:

"That the House will hold a night session this evening at 6 o'clock, and on every alternate evening during this week;"

When Mr. Bowles moved to amend the proposed amendment of Mr. Parker, as follows:

"To exempt the committee on ways and means from attendance;"

Which was adopted.

Then the amendment of Mr. Parker as amended, was adopted.

The question then recurring on the adoption of the resolution as amended;

It was decided in the affirmative.

The presentation of petitions, &c., were then continued.

By Mr. Huddleston,

Of sundry citizens of Henry county, asking for the passage of an act for the improvement of Buck creek;

Which was referred to a select committee of Messrs. Huddleston, Reed, Morgan, and Barrett.

By Mr. Byers,

Of citizens of Clinton county, for a charter of a railroad company;

Which was referred to a select committee of Messrs. Byers, Clark of T., and Macy.

By Mr. Conner,

Of citizens of Hamilton county, to change the name of a certain town therein named;

Which was referred to a select committee of Messrs. Conner, Coffin, and Forseman.

By Mr. Forseman,

Of sundry citizens of the counties of Fountain, Montgomery, and Tippecanoe, praying for the relocation of a state road in said counties;

Which was referred to a select committee of the delegation from said counties.

By Mr. Mickle,

Of Jane Gillam, for a divorce;

Which was referred to the judiciary committee.

By Mr. Conner,

Of citizens of Hamilton county, for a change in a certain state road therein named;

Which was referred to a select committee of Messrs. Conner, Clark of H., and Hiatt.

By Mr. Rich,

Of George W. Branham & Co., praying certain relief therein named;

Which was referred to the committee on canals and internal improvements.

By Mr. Bearss,

Of citizens of Wabash county, asking for a part of a state road or shute in Wabash Town for mill purposes;

Which was referred to a select committee of Messrs. Bearss, Hurlbut, and Reed.

By Mr. Boone,

Of citizens of Boone county, in relation to a road therein named;

Which was referred to the committee on roads.

By Mr. Fuller,

Of citizens of Warrick and Spencer counties, in relation to the boundary line between Spencer and Gibson counties;

Which was,

On motion of Mr. Smith,

Laid on the table.

By Mr. Smith,

Of citizens of Spencer county, praying that certain land might be attached to the county of Warrick;

Which was,

On motion of Mr. Fuller,

Laid on the table.

By Mr. Moore,

The petition of the board of commissioners of Owen county on the subject of township assessors and collectors;

Which was referred to a select committee of Messrs. Moore, Hurlbut, and Logan of W.

By Mr. Logan of W.,

Of Nathaniel H. DeWitt and others, citizens of Washington and Clark counties, on the subject of a state road between Little York and New Providence;

Which was referred to a select committee of Messrs. Logan of W., Moore, and Hurlbut.

By Mr. Jones of Fountain,

Of citizens of Fountain county, on the subject of exchanging water with the Wabash and Erie canal;

Which was referred to the committee on canals and internal improvements.

By Mr. Roberts of P.,

Of citizens of Putnam county, praying that the office of county auditor be abolished and for other purposes;

Which was laid on the table.

By Mr. Keimer, of citizens of Blackford and Wells counties, on the subject of a state road;

By Mr. Edger,

Of citizens of Randolph county, praying for the location of a state road;

Also, the remonstrance of sundry citizens of said county against the same;

Which were severally referred to the committee on roads.

Also, of sundry citizens of the same county, praying for the reduction of tavern and grocery licenses;

Which was referred to the committee on the judiciary.

By Mr. Ferry,

Of O. Bird and others, citizens of Fort Wayne, praying the vacation of an alley in said city;

Also, of citizens of Huntington, praying the building of a bridge across Wabash and Erie canal at that place;

Which were referred to the committee on corporations.

By Mr. Gorman,

Of citizens of Grant county, seven remonstances against the reduction of the fees of county auditor;

Which were referred to the committee on the judiciary.

On motion of Mr. Gorman,

Resolved, That William H. English be permitted to withdraw from the papers of this House the petitions heretofore presented to the legislature, in relation to attaching a part of Jefferson county to the county of Scott.

By Mr. Holloway,

From the treasurer of the county of Wayne, for certain relief therein named;

Which was referred to the committee on claims.

By Mr. Hobbs,

Of citizens of Noble county, praying the re-location of the county seat thereof;

Which was,

On motion,

Laid on the table.

By Mr. Reed,

Of John T. White and others, praying the change in certain laws therein named;

Also, of Caleb White and others, praying certain relief;

Which were referred to the judiciary committee.

By Mr. Harris,

Of Abraham Brown and others, on the subject of the school lands in Marion county;

Which was referred to the committee on education.

Mr. Sutherland asked and obtained leave to introduce the followin resolution:

Resolved, That the committee on canals and internal improvemen be, and they are hereby instructed to enquire into the expediency transferring the appointment of superintendent of the water powe upon the Central canal, to the lessees of such water power, or a m

jority of them, and of constituting the water rents paid into the treasury, for the power upon said canal a fund to be set apart for making repairs of breeches thereon, carrying the surplus at the end of each year into the treasury;

Which was adopted.

REPORTS FROM STANDING COMMITTEES.

Mr. Barbour, chairman of the committee on elections, made the following report:

Mr. Speaker:

The committee on elections, to which was referred bill No. 281, entitled "A bill to preserve the purity of elections," have had the same under consideration, and have directed me to report, that while they think the penalties prescribed in said bill are so severe as to prevent their rigid enforcement, and that many of its provisions are already incorporated in the existing law, yet being divided in sentiment, as to the the expediency of the bill taken as a whole, they report the same back to the House and ask to be discharged from the further consideration thereof;

Which report was concurred in, and the bill therein named, was

On motion of Mr. O'Neal,

Laid on the table.

Mr. Parker, chairman of the committee on the judiciary, made the following report:

Mr. Speaker:

The judiciary committee, to which was referred the petition of Priscilla Lazenby and others, citizens of Dearborn county, in reference to certain lands that had escheated to the State, have examined the case presented with much care, and are of the opinion a great fraud will be consumated and much injustice done without the interference of this legislature; therefore, in remedy of the difficulty, the committee report the accompanying bill and recommend its passage:

No. 300. A bill for the relief of Priscilla Lazenby and others; which was

Read a first time and passed to a second reading on to-morrow.

Mr. McDonald, from the judiciary committee, made the following report:

MR. SPEAKER :

The judiciary committee, to whom was referred bill of the House No. 148, entitled "A bill in relation to township assessors in certain counties therein named," have had that matter under consideration, and have directed me to report the same back and recommend its passage, and ask to be discharged from the further consideration thereof;

Which report was concurred in, and the bill therein named considered as engrossed, and read a third time and passed.

Ordered, That the clerk report the same to the Senate and ask their concurrence therein.

Mr. O'Neal, from the committee on education, made the following report:

MR. SPEAKER:

The committee on education, to which was referred the petition of citizens of Cass county, praying the passage of a law abolishing the office of school commissioner and giving the sale and control of the same to the congressional township trustees, have had the same under consideration, and have directed me to report that it is inexpedient to legislate on that subject and respectfully ask to be discharged from the further consideration thereof.

Which report was concurred in and the committee discharged from the consideration of that subject.

Mr. Roberts of P., chairman of the committee on canals &c., made the following report:

MR. SPEAKER:

The committee on canals and internal improvements, to which was referred a petition from sundry citizens of Carroll county in relation to a side cut at Pittsburgh, from the upper to the lower part of the town, for the purpose of increasing the water power, have had that subject under consideration, according to order, and have directed me to report the following bill for the consideration of the House, and ask to be discharged from the further consideration thereof.

No. 301. A bill supplemental to an act approved Feb. 10, 1843, relative to water power at Pittsburgh; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Roberts also made the following report:

MR. SPEAKER:

The committee on canals and internal improvements, to which was

referred the petition and accompanying documents of Alexander Beard of the county of Vigo, in relation to work done by him for the State, on the Cross-Cut canal, have had that subject under consideration, according to order, and have bestowed upon it more than ordinary attention: Your committee are constrained to say that they have not had before them sufficient evidence to substantiate the claims of the petitioner. If the facts stated in the petition were duly supported, the justice of his claim would be manifest; with these facts, your committee have been informed by one of the Hon. Representatives of Vigo, the Hon. John Hodges, that he has been authorized to say to your committee, that if said petitioner could be allowed a measurement on sections 15 and 16 by some competent engineer he would not ask the legislature to consider his claims again, and as your committee are disposed to see that even-handed justice should be extended to all men; I have therefore been directed by a majority of your committee to report the following bill for the consideration of the House, and to ask that said committee be discharged from the further consideration thereof;

No. 302. A bill for the relief of Alexander Beard; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Dowling, from the same committee, made the following report:

Mr. Speaker:

The committee on canals and internal improvements, to which was referred a petition of several citizens of Carroll county, on the subject of canal land certificates, have had the same under consideration, and have directed me to report the accompanying bill and recommend its passage:

No. 303. A bill relative to the assignment of canal land certificates; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Gregory, from the same committee, made the following report:

Mr. Speaker:

The committee on canals and internal improvements, to whom was referred a petition of John Smith of Carroll county, praying a release of rents for water power on the Wabash and Erie canal, in a certain case, and a change of said power, have had the same under consideration, and have directed me to report the following bill and recommend its passage:

No. 304. A bill for the relief John Smith of Carroll county, and for other purposes; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Gregory, from the same committee, made the following report:

MR. SPEAKER:

The committee on canals and internal improvements, to whom was referred a petition of sundry citizens of Tippecanoe county, praying for the construction of a bridge across the Wabash and Erie canal near Greenville, in said county, have had the same under consideration, and a majority of said committee have instructed me to report the following bill and recommend its passage:

Mr. Roberts of P. dissenting.

No. 305. A bill authorizing the superintendent on the Wabash and Erie canal, to construct a bridge across said canal in Tippecanoe county;

Which was read a first and second times,

The rule being suspended therefor,

When Mr. Cowen moved to lay the same on the table;

Which motion did not prevail.

Mr. Moore moved to refer the bill to the committee on public expenditures;

Which passed in the negative.

Mr. Moore moved to amend so that the cost of said bridge shall not exceed $250,000;

Mr. Parker moved to amend the proposed amendment by striking out "$250" and insert "$150;"

Which was accepted by Mr. Moore;

The amendment as amended was adopted.

Mr. Norvell moved to further amend as follows:

"That the citizens shall build the bridge at their own expense;"

Which did not prevail.

Mr. Hiatt moved to suspend the rule, consider the bill as engrossed, and that it be read a third time now;

Which was decided in the negative.

Mr. Saffer moved that it be so amended that it shall be a toll bridge and the profits thereof revert to the State;

Which did not prevail.

Mr. Norvell moved to amend as follows:

"That it be constructed at the expense of Tippecanoe county.

Then,

On motion,

The bill and proposed amendment were laid on the table.

Mr. Ferry, chairman of the committee on corporations, made the following report:

Mr. Speaker:

The committee on corporations, to which has been referred the petition of O. Bird and others, citizens of the city of Fort Wayne, praying the vacation of a certain alley therein named, have had the same under consideration, and a majority of said committee have directed me to report the following bill and recommend its passage:

No. 306. A bill vacating an alley in the city of Fort Wayne; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Ferry also made the following report:

Mr. Speaker:

The committee on corporations, to which has been referred the petition of J. H. Parviance and others, citizens of Huntington, praying the construction of a bridge across the Wabash and Erie canal in the place of one torn down in consequence of its mal-construction, have had the same under consideration, and a majority of said committee have directed me to report the following bill and recommend its passage:

No. 307. A bill authorizing the building of a bridge across the Wabash and Erie canal at Huntington; which was

Read a first time and passed to a second reading on to-morrow.

On motion,

The following report from the committee on the State Bank, which had been made and laid on the table on the 5th of January, was taken from the table, to-wit:

Mr. Speaker:

The committee on the State Bank

REPORT,

That they have compared the reports of the several Branches with that of the Statement contained in the report of the President of the State Bank, and find them to agree; but these mere statements are not of that character which will justify the committee in expressing any sentiment, either favorable or unfavorable, as to the real condition of the Bank. Such an expression can, with safety, only be hazarded by a visiter to the several Branches, who may have examined strictly into the items composing the state of the institution. The reports, however, exhibit the idea, that there is $965,226 00 in specie and $61,000 00 in paper of other Branches on hand, making over a million of immediate resources, while the real circulation (after deduc-

ting the amount on hand in the several Branches) may be set down at about $2,000,000 00; in other words, about two dollars in circulation for one in specie and other Bank Notes on hand, which state of things, with that share of confidence usually entended to Banks, would seem to secure a continuance of specie payments.

A reduction of the capital stock to the amount of $600,000 00 is commendable, and a still further reduction of individual stock in many of the Branches, if it could be done by diminishing the suspended debt, or even such paper upon which the regular curtailments may not be paid, would be beneficial to the interests of the institution and tend much to place it in a more prosperous state.

It is to be regretted that the State Board have found necessity for a suspension of one of the Branches. Not being in possession of the facts, the committee can neither approve nor condemn the act; but are of opinion, that a step which is so seriously to affect the credit not only of the Branch, but of the whole institution, should be exercised with extreme caution, and every other means exhausted, in endeavoring to correct abuses, before that of suspension should be resorted to.

The intimation by the President, that the time has arrived for a gradual interference with, and abandonment of our relief laws, the the committee are not inclined to favor. It is true that the causes for their creation may be fast disappearing, but even should this be the case, delay for another year cannot result in harm either to the creditor or debtor.

The committee have duly considered the resolution of the House, instructing them to enquire into the expediency of restricting the Bank in its issues to notes of a denomination, not less than ten dollars, in accordance with the rights reserved to so restrict it, at the present session, and find that a subsequent amendment to the charter extended the privileges of issuing small notes for a period of five years.—They are therefore of the opinion, that it is inexpedient to legislate on that subject.

Which report was concurred in.

Mr. Holloway, from the minority of the said committee, made the following counter report:

Mr. Speaker.

The minority of your committee on the State Bank

REPORT,

That they do not concur in the opinion expressed by the majority of the same committee, as to their distrust in the correctness of the report made by the President of the State Bank, and through him, those of the different Branches. They know no good reason why said report is not entitled to the most implicit confidence. The late

examination by Mr. Palmer, Agent of State, and the credit which the officers of the Bank have maintained, even in these suspicious times, ought to command some portion of public confidence, unless circumstances and charges are alledged, forming some tenable ground for suspicion and distrust. Hence the minority of your committee dissent from the expression of the majority that "these mere statements are not of that character which will justify the committee in expressing any sentiment, either favorable or unfavorable as to the real condition of the Bank." Upon the contrary, the minority are willing to receive them as the best evidence within the reach of your committee.

It is said too, by your majority, that "such an expression can, with safety, only be hazarded by a visitor to the several Branches, who may have examined strictly into the items composing the state of the institution." We would respectfully enquire whether the special visiter, selected at a recent session of the legislature, discovered any gross discrepancies and mis-statements in the previous reports of the officers of the Banks.

The minority of your committee do not recollect any such discoveries having been made, and therefore cannot favor the examination of a special visiter over that of the President of the Bank.

Your minority appreciating the importance of giving to the country a correct report of the situation of that institution, which alone, amid the many schemes which have been devised to advance the interests of the State, has withstood the distructive policy of the times, and maintain as far as possible, entire confidence in its solvency, have called for the latest returns from the Branches, from which it appears their business has rapidly increased, for between the date of the annual report, and the 15th of December, there was an increase in the amount of Bills of Exchange, discounted of $267,953, in prompt notes, probably $100,000, and in the circulation, $184,055.

The means now in the possession of the Bank to redeem its liabilities, are, specie $938,780; paper of other Banks, $79,515; overplus of Bank balances after deducting the balances due other Banks, $379,-779, most of which is Eastern Exchanges, which is known to be better than specie. Remittances $33,088; Bank Scrip and other Treasury Notes $560,490; Bills of Exchange constantly being paid $634,-314, in all, $2,625,966. Besides these, as some of the Branches discount prompt paper to a considerable extent, of the $1,600,000 of discounted notes, there must be at least $100,000 paid on these every 90 days.

Such a state of things, and the privilege of making prompt collections on all new loans, under the law of last year, present much better prospect for business than have at any time appeared for the last five years; hence, your minority cannot avoid the expression of the opinion, not hastily made, but after some reflection, that the situation is most favorable for increased usefulness to the interests of the State in her civil capacity, and the people at large.

The further reduction of the State Stock in the Bank, would at once destroy all hopes of continuing to pay the interest on the Bank loan, for with the present capital, as the collection laws now are, the profits of the Bank are insufficient, and temporary loans were resorted to, in May and Nov. last, to pay said interest. If the pledges to pay this interst be disregarded, as has been the case in the ordinary State debt, it will be such a proof of recklessness that the Bank must cease to be useful, if it does not sink at once.

That a Branch has at last been suspended, and the credit of the paper not in the least affected by it, is convincing evidence of the stability of the institution. If any injustice had been done by the State Board in this matter, the legislature no doubt would have been fully advised by the persons supposing themselves aggrieved. As no complaints have been made, too little, rather than too much has probably been done. And your committee having with some care examined this matter, are of the opinion that the Branch at Lawrenceburgh should have been suspended at least two years before it was; and we fully approve the course pursued in this matter, except the tardiness with which it was brought about.

D. P. HOLLOWAY.
P. FORSEMAN.

Mr. Gorman, chairman of the committee on federal relations, made the following report:

Mr. Speaker :

The committee on federal relations, to which was referred the joint resolution on the subject of organizing Oregon Territory, (of the Senate,) have had the same under consideration, and have directed me to report, that a joint resolution on the same subject has passed this House, therefore they recommend that this joint resolution be laid upon the table.

Which report was concurred in and the joint resolution laid on the table.

Mr. Gorman, chairman of the same committee, made the following report:

Mr. Speaker:

The committee on federal relations, to which was referred the resolutions of the legislature of Ohio, relative to building a bridge over the Ohio river, at Wheeling, Virginia, have had the same under consideration, and directed me to report, that in the opinion of your committee, it is inexpedient for any expression to be made by Indiana on that subject; our delegation in Congress will act in our opinion with the proper regard to the public interest; in our opinion, appropriations by the National Government, out of the National Treasury for inter-

nal improvements, ought never to be made unless to objects strictly national in its character.

Which report was concurred in.

Mr. Gorman also made the following report:

Mr. Speaker:

The committee on federal relations, to which was referred No. 15, a joint resolution of the General Assembly of the State of Indiana, on the subject of reducing the minimum price of the lands of the United States, that have been in market twenty years and upwards, in the State of Indiana, have had the same under consideration, and have directed me to report the same back to the House and recommend its passage;

Mr. Parker moved to amend the joint resolution in said report mentioned, so as to request our Senators and members in Congress to use their best exertions to procure said reduction;

Which amendment was adopted.

Then the joint resolution was ordered to be engrossed for a third reading on to-morrow.

On motion of Mr. Bowles,

No. 84. A bill to repeal a part of an act on the subject of the New Albany and Vincennes road, was taken from the table;

When the question recurred on the adoption of the amendment as reported by the committee on the canal fund;

Which amendment was not concurred in.

Then the bill was ordered to be engrossed for a third reading on to-morrow.

REPORTS FROM SELECT COMMITTEES.

Mr. Athon, from a select committee, made the following report:

Mr. Speaker:

The select committee, to which was referred the petition of Joseph E. Moore, of Clark county, praying relief, have had the same under consideration, and beg leave to report the accompanying bill and recommend its passage:

No. 308. A bill authorizing the county commissioners to settle with Joseph E. Moore; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Bearss, from a select committee, made the following report:

Mr. Speaker:

The select committee, to which was referred the petition of sundry

citizens of Miami county, relative to legalizing the proceedings of the probate court and board of commissioners of said county, have had the matter under consideration, and have directed me to report the following bill and recommend its passage:

No. 309. A bill to legalize the proceedings of the probate court and board of commissioners of Miami county, and for other purposes; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Wolfe, from a select committee, made the following report:

Mr. Speaker:

The select committee, to which was referred sundry petitions from the county of Floyd, on the subject of abolishing the office of county auditor, in said county, have had the same under consideration, and have directed me to report that it is inexpedient to legislate on the subject, and ask to be discharged from the further consideration of the same;

Which report was concurred in.

Mr. Nees, from a select committee, made the following report:

Mr. Speaker:

The select committee, to which was referred the petition of Jacob Boman and others, praying a change in a certain part of a state road in the counties of Clay and Owen, have had that subject under consideration, and have directed me to report the following bill and recommend its passage:

No. 310. A bill to change a certain part of a state road in the counties of Clay and Owen; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Bearss, from a select committee, made the following report:

Mr. Speaker:

The select committee, to which was referred the petition of sundry citizens of Wabash county, praying for the renewal of the charter to incorporate the Lagro and Manchester turnpike company, have had the subject under consideration and have directed me report the following bill and recommend its passage:

No. 311. A bill to revive an act to incorporate the Lagro and Manchester turnpike company; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Boone, from a select committee, made the following report:

Mr. Speaker:

The select committee, to whom was referred the petition of Bonam Rester and others, praying for the legalization of the proceedings of certain trustees therein named, have had the same under consideration, and have direted me to report the accompanying bill and recommend its passage:

No. 312. A bill to legalize the proceedings of the trustees of the Wolfe creek regular Baptist church, in Boone county:

Which was read three several times,

The rule being suspended therefor,

And passed.

Ordered, That the clerk report the same to the Senate and ask their concurrence therein.

Mr. Blakemore, from a select committee, made the following report:

Mr. Speaker:

The select committee, to whom was referred the petition of sundry citizens of Cass county, in relation to the school fund of that county, have had that matter under consideration, and have directed me to report the following bill and recommend its passage:

No. 313. A bill for the benefit of the school fund of Cass county, which was

Read a first time and passed to a second reading on to-morrow.

Mr. Jones of Fountain, from a select committee, made the following report:

Mr. Speaker:

The select committee to which was referred the petition of Michael McCall, praying for relief, have had that subject under consideration, and instructed me to report the following bill and recommend its passage:

No. 314. A bill for the relief of Michael McCall; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Gorman, from a select committee, reported the following bill:

No. 315. A bill to locate a state road from Gosport, in Owen county, to Columbus, in Bartholomew county; which was

Read a first time and passed to a second reading on to-morrow.

RESOLUTIONS.

Mr. James offered the following resolution:

Resolved, That the committee of ways and means, in their examination of the State Auditor's office, report to this House the number of clerks necessary to be employed in that office, in order that all the public interests committed to that office may be properly attended to; that they particularize, as far as possible, in their report, what those duties now are; that they especially enquire what additional duties have been added to the auditor's office, by virtue of the new Revision, and that said committee report, if by them deemed expedient, a bill fixing the number of clerks to be employed and a fair compensation to each grade.

Which was not adopted.

INTRODUCTION OF JOINT RESOLUTIONS.

Mr. Rich introduced

No. 316. A joint resolution for the relief of Samuel Campbell, an old and infirm soldier;

Which was read a first and second times,

The rule being suspended therefor,

And ordered to be engrossed for a third reading on to-morrow.

Mr. Parker introduced

No. 317. A joint resolution relative to International Literary Exchanges; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Norvell introduced

No. 318. A joint resolution on the subject of the French Lick, in the county of Orange;

Which was read a first and second times,

The rule being suspended therefor,

When Mr. Rich moved to amend as follows:

"That no expense shall be incurred by the State in carrying out the provisions of said resolution;"

Which motion did not prevail.

Then,

On motion,

The rule was further suspended, and the resolution considered as engrossed, and read a third time and passed.

Ordered, That the clerk report the same to the Senate and ask its concurrence therein.

On motion of Mr. McRae,

The previous order of business was suspended for the purpose of taking from the files

No. 204. A bill to amend an act entitled "An act authorizing the issue of $5 Treasury Notes, for the redemption of the $50 Treasury Notes now in circulation," approved Jan. 31, 1842.

The question recurred on the amendment as proposed by Mr. Foley on Saturday the 6th inst.;

When Mr. Parker arose to a point of order, to-wit:

"That the proposition before the House to recommit the bill with the instructions which are in substance the same as has been formerly by the House indefinitely postponed, to-wit: No. 80, on the 20th of December last;"

The Speaker decided the motion of Mr. Foley out of order.

Mr. Ferry moved to lay the bill on the table;

Which motion did not prevail.

The whole matter was then informally passed over.

ORDERS OF THE DAY.

Bills on a third reading.

No. 127. A bill for the relief of the purchasers of congressional school lands;

Which was read a third time and laid on the table.

No. 76. A bill to re-locate a state road in Sullivan county;

No. 185. A bill authorizing the location of a state road in the county of Allen;

No. 103. A bill for the relief of Samuel Rockafeller in Franklin county;

No. 208. A bill to legalize the acts of school commissioner of Benton county;

No. 186. A bill to change the name of Rachael Will;

No. 211. A bill to provide for keeping in repair the turnpike road from Lafayette to Crawfordsville;

No. 213. An act to authorize Job Meredith to build a mill dam across Tippecanoe river;

No. 206. A bill amending the criminal law;

No. 176. A joint resolution relative to granting lands for common school purposes;

No. 218. A bill in relation to the county auditor of Monroe county;

No. 214. A bill for the relief of the heirs of George Bishop, late of the county of Jay, deceased;

No. 191. A bill to amend an act entitled "An act granting to the citizens of Madison and the town of Lawrenceburgh a city charter;

No. 292. A bill to vacate a part of a state road in Putnam county;

No. 19. A bill to vacate a state road therein named;

No. 31. A bill to locate a state road in the county of Daviess;

No. 278. A bill in relation to a state road in Monroe county, and for other purposes;

No. 277. A bill for the relief of David Weddle of Brown county;

No. 236. A bill to change the name of Black Hawk to that of Mount Auburn;

No. 296. A bill to provide for the election of supervisors of roads by road districts in Boone county;

No. 269. A bill to provide for a more efficient mode of expending the road tax in the several counties therein named;

No. 202. A bill in relation to tavern licenses in Carroll county;

No. 192. A bill to amend an act entitled "An act to incorporate the Vevay and Napoleon and other turnpike companies," approved Feb. 8, 1836;

No. 200. A bill to extend the time of holding probate courts in Dearborn county;

No. 175. A bill appointing commissioners to locate a state road from Portland in Jay county, to Hartford in Blackford county;

No. 188. A bill concerning the fees of grand and petit jurors of the counties of Crawford and Perry;

No. 183. A bill providing for a school tax in the counties of Adams and Jay;

No. 128. A bill to revive and amend an act entitled "An act to establish a board of trustees of the county library of the county of Marion," approved Feb. 11, 1843;

No. 197. A bill to give effect to an act therein named;

Which were severally read the third time,

And passed.

Ordered, That the clerk report the same to the Senate and ask their concurrence therein.

Mr. Hodges, on leave, introduced

No. 319. A bill to provide for the loaning of the school funds in Vigo county;

Which was read three several times,

The rule being suspended therefor,

And passed.

Ordered, That the clerk report the same to the Senate and ask their concurrence therein.

No. 1. A memorial and joint resolution on the subject of the Cumberland road;

No. 132. A bill to amend an act entitled "An act to incorporate the Logansport and Wabash bridge company;

No. 79. A bill authorizing the school commissioner of Vanderburgh county to refund certain moneys;

No. 172. A bill granting certain land to the board of commissioners of Lake county for a burying ground;

No. 219. A bill in relation to school district No. 5, in town 37 north, of range 3 west, in Laporte county;

No. 44. A bill to prevent the sale of lands mortgaged to the common school fund;

No. 173. A bill for the relief of the heirs of Melchoir Sooder and James Hayes, late of Dearborn county, deceased;

Which were severally read the third time and passed.

Ordered, That the same be reported to the Senate, and its concurrence therein requested.

No. 56. A bill converting the moneys arising from the sale of estrays and property taken up adrift, into the common school fund;

Which was read the third time, when

Mr. Clark of Tippecanoe moved to recommit with instructions;

Which did not prevail.

The bill then passed.

No. 154. A bill for the better regulation of the county board in the county of Warrick;

No. 145. A bill relative to the practice in the circuit courts;

No. 96. A bill to exempt certain lands in the counties of Randolph and Delaware from taxation;

No. 160. A bill to limit the trustees of Evansville to a certain tax, etc.;

No. 152. A bill extending the provisions of a certain act therein named, to the county of Spencer;

No. 156. A bill extending certain laws therein named, to the county of Randolph;

No. 146. A bill appointing the board of county commissioners of Carroll county, the seminary trustees of said county seminary;

No. 151. A joint resolution requesting Congress to donate public lands for common school purposes;

No. 140. A bill to legalize the acts of the school commissioner in Martin county;

No. 195. A bill to improve the breed of sheep;

No. 57. A bill for the relief of John Sankey, of Vigo county;

No. 207. A bill in relation to overseers of the poor;

No. 231. A bill to improve the navigation of Sugar creek;

No. 215. A bill in relation to a state road in Steuben county;

No. 217. A bill to change the mode of selecting petit jurors in Blackford county;

No. 216. A bill for the relief of Thomas C. Stewart of Pike county;

No. 181. A bill regulating the election of school trustees in the counties of Allen, De Kalb, and Steuben;

No. 184. A bill regulating the selecting of grand jurors in Randolph county;

No. 15. A joint resolution on the subject of the Oregon territory;

No. 112. A bill to provide for a more uniform mode of doing township business in the county of Hamilton;

No. 161. A bill to legalize the records of roads and highways in the county of Clay;

No. 105. A bill to amend an act entitled "An act relating to the seminary fund in Cass county;

No. 180. A bill abolishing the office of county auditor in certain counties therein named.

Which were severally read the third time and passed.

Ordered, That the clerk report the same to the Senate, and ask, respectfully, their concurrence therein.

BILLS OF THE SENATE.

No. 49. A joint resolution in relation to an appropriation on the national road in Indiana;

No. 62. A bill to repeal an act entitled "An act relating to public roads and highways," approved February 17th, 1838; approved Jan. 29th, 1842;

No. 64. A bill regulating the granting of licenses in the counties of Adams, Allen, Huntington, and Wells;

No. 76. A bill creating an additional place of holding elections in Florida township in Park county;

No. 14. A bill to provide for summoning grand and petit jurors in Decatur and Warren counties:

No. 29. A bill to amend an act allowing and regulating the writ of ad quod damnum, approved December 20th, 1823; approved Jan. 29th, 1842;

On motion of Mr. Parker,

The title was amended.

No. 42. A bill to revive the first section of an act entitled "An act to amend an act entitled 'an act authorizing the appointment of pilots at the falls of the Ohio, in this State,' approved February 8th, 1841;"

No. 44. A bill to authorize the board of commissioners of Lagrange county to sell certain real estate therein named;

Which were severally read the third time and passed.

Ordered, That the Senate be informed thereof.

No. 57. A bill to authorize the recorder of Lagrange county to perfect the records of said county;

Which was read the third time and laid on the table.

No. 52. A bill to prohibit the sale of spirituous or fermented liquors in the town of Greensburgh in Henry county;

No. 19. A bill extending the jurisdiction of justices of the peace;

No. 37. A bill to repeal an act therein named.

Which were severally read the third time and passed.

Ordered, That the Senate be informed thereof.

No. 32. A bill to vacate the western addition of the town of Palmyra, in the county of Harrison;

Which was read the third time and, by unanimous consent, was amended as follows, on the motion of Mr. McRae:

"*Provided*, that this act be of no force unless all the owners of lots or parts of lots in or immediately adjoining and bounding on said town herein provided to be vacated, shall give their written consent to such vacation."

Then the bill passed.

Ordered, That the Senate be informed thereof.

BILLS OF THE HOUSE.

No. 139. A bill to amend an act entitled "An act to provide for the collection of the debt due from the Lawrenceburgh and Indianapolis Railroad Company;

No. 205. A bill for the relief of John Law, Lucius H. Scott, and the heirs of James B. McCall;

Which were severally read a third time and passed.

Ordered, That the same be reported to the Senate and its concurrence requested.

No. 238. A bill to raise revenue for state purposes, and to redeem Treasury notes;

Which was read a third time, when

Mr. Chapman moved to re-commit the bill with instructions to strike out the fifth section thereof; when

Mr. Gorman moved the previous question;

Which was seconded; and the question being,

Shall the main question be now put?

It was decided in the affirmative.

The main question was then put, to-wit:

"Shall the bill pass?"

And the ayes and noes having been demanded by Messrs. Logan of Washington and Chapman,

Those who voted in the affirmative are,

Messrs. Allen of Putnam, Athon, Barrett, Blakemore, Bowles, Burton, Chambers, Coffin, Conner, Dowling, Gorman, Gregory, Hannah, Hiatt, Hobbs, Holloway, Huddleston, James, Jones of Fountain, Jones of Franklin, Kerr, Lee of Jefferson, Lee of Posey, Logan of Pike, Logan of Washington, Macy, McAlister, McRae, Miller of Vanderburgh, Montague, Montgomery, Mooney, Morgan, Norvell, Nutter, Palmer, Parker, Reed, Roberts of Laporte, Roberts of Putnam, Saffer, Shelby, Simonson, Simpson, Verbrike, Wolfe, and Mr. Speaker. —47.

Those who voted in the negative are,

Messrs. Barbour, Bearss, Boone, Byers, Chapman, Clark of T., Cowen, Cuppy, Edger, Elder, Engle, Ferry, Foley, Ford, Forseman, Garrett, Gilbert, Halbert, Handy, Hardin, Harris, Harrison, Helwig, Hodges, Hostetter, Hurlbut, Keimer, Kelly, McConnell, McDonald, Miller of C., Moore, Nees, O'Neal, Rich, Robbins, Seller, Spicknall, Sutherland, Tevis, Turman, Williamson, Williams, and Wright—45.

So the bill passed.

Ordered, That the clerk report the same to the Senate and ask their concurrence therein.

No. 111. A bill to repeal an act therein named;

No. 124. A bill to apply saline funds to common school purposes;

No. 135. A bill to suspend the further issue of $5 Treasury Notes in lieu of fifties;

No. 147. A bill to reduce the salary of the clerk of the State prison;

No. 179. A bill to provide for the relinquishment of saline lands in the county of Orange;

Which were read the third time and passed.

Ordered, That the clerk report the same to the Senate and ask their concurrence therein.

SENATE BILLS.

No. 39. A joint resolution requesting the Governor of Indiana to communicate with the Governor of the State of New York, asking a drawback on Salt delivered at any point on the Wabash and Erie canal, in the State of Indiana;

Which was read the third time and passed.

Ordered, That the clerk inform the Senate thereof.

No. 58. A bill to locate a state road in Sullivan county;

No. 55. A bill establishing an additional place of holding elections in Perry county;

No. 53. A bill to amend an act entitled "An act for the relief of John Plasters, school commissioner of Miami county," approved Feb. 2d, 1843;

No. 25. A bill in relation to the auditor of Knox county;

No. 15. A bill to change the name of George B. Selkregg and others;

Which were severally read the third time,

And passed.

Ordered, That the clerk inform the Senate thereof.

No. 9. A bill to incorporate the Brothers of St. Joseph at the South Bend, St. Joseph county, Indiana;

Which was read the third time,

When Mr. Williamson moved to re-commit the same with the following instructions:

To amend by striking out all that part which excepts improvements, and to provide further that no person shall become a member of said corporation unless a naturalized citizen of the United States, or unless such person shall have expressed in a lawful manner an intention so to become.

Which did not prevail.

The bill then passed.

Ordered, That the clerk inform the Senate thereof.

No. 24. A bill to locate a state road in the county of Lawrence;
No. 56. A bill for the relief of James Vawter of Jefferson county;
No. 8. A bill to incorporate the University of Notre Dame Du Lac;
No. 18. A bill for the relief of the purchasers of school lands;
No. 21. A bill in relation to the sale of lands and town lots for delinquent taxes;
Which were severally read the third time,
And passed.
Ordered, That the Senate be informed thereof.

BILLS OF THE HOUSE.

No. 182. Of the House, a bill for the vacation of the town of Otsego, and for other purposes;
Which was read a third time, and
On motion of Mr. Montgomery,
Was re-committed to a select committee of Messrs. Cowen, Hiatt, and Byers, with the following instructions:
"To enquire into the expediency of striking out all that which relates to a re-valuation."
No. 171. Of the House, a bill increasing the road tax in Steuben and DeKalb counties;
Which was read a third time, and
On motion of Mr. Hobbs,
Was re-committed to a select committee of Messrs. Hobbs, Helwig, and Mickle, with instructions.
On motion,
The House adjourned until half-past 1 o'clock P. M.

Half-past 1 o'clock P. M.

The House met pursuant to adjournment.

On leave, Mr. Harrison presented the remontrance of certain citizens therein named against the location of a certain state road;
Which was referred to the select committee having that subject under consideration.
Mr. Blakemore, on leave, introduced
No. 320. A bill to amend the 2d article of the 42d chapter of the Revised Statutes of 1843; which was
Read a first time and passed to a second reading on to-morrow.

The House then resumed the

ORDERS OF THE DAY.

No. 53. Of the House, a bill to repeal a certain act therein named;

Which was read a third time and lost on its passage.

No. 190. A bill to equalize the 1st and 7th judicial circuits in the State of Indiana;

When,

On motion of Mr. Dowling,

It was re-committed to a select committee of Messrs. Dowling, Coffin, Shelby, Engle, and Byers, with certain instructions.

No. 58. A bill reviving and amendatory of an act entitled "An act for the relief of settlers on the Wabash and Erie canal lands," approved Feb. 24, 1840;

It being on its third reading,

Mr. Speaker announced the question to be on the amendment offered by himself to the proposed instructions of Mr. Bearss;

And the ayes and noes having been demanded by Messrs. Dowling and Cuppy:

Those who voted in the affirmative are,

Messrs. Barbour, Barrett, Blakemore, Bowles, Burton, Byers, Chambers, Chapman, Conner, Cowen, Cuppy, Edger, Elder, Engle, Ferry, Fuller, Handy, Helwig, Hobbs, James, Keimer, McClure, McConnell, McDonald, McRae, Montgomery, Rich, Robbins, Seller, Spicknall, Williamson, and Mr. Speaker—32.

Those who voted in the negative are,

Messrs. Allen of Putnam, Athon, Coffin, Dowling, Foley, Garrett, Gilbert, Forseman, Gorman, Gregory, Halbert, Hannah, Harris, Harrison, Hiatt, Hodges, Holloway, Kerr, Hostetter, Huddleston, Hurlbut, Jones of Fountain, Jones of Franklin, Kelly, Lee of Jefferson, Lee of Posey, Logan of Pike, Logan of Washington, Macy, McAlister, Miller of Crawford, Miller of Vanderburgh, Montague, Mooney, Moore, Morgan, Nees, Norvell, Nutter, O'Neal, Palmer, Parker, Reed, Roberts of Laporte, Roberts of Putnam, Shelby, Simonson, Simpson, Tevis, Turman, Vebrike, Williams, and Wolfe—53.

So the proposed amendment to the amendment was not adopted.

The question then recurred on the instructions offered by Mr. Bearss;

Which were adopted.

And the bill with the instructions was re-committed to the committee on canals, &c.

No. 136. A bill to provide for the payment of taxes by non-residents through the State Treasury;

Which was read a third time and lost on its passage.

No. 59. A joint resolution on the subject of reducing the salaries and pay of the officers of the General Government;

No. 221. A bill supplemental and amendatory of an act entitled "An act to provide for the reduction of the State and individual stock in the State Bank," and for other purposes, approved February 2, 1843;

No. 174. A bill to amend the several acts now in force regulating the duties of school commissioner, county auditor, county treasurer, and county commissioners in Marion county, and for other purposes;

No. 24. A bill to amend an act entitled "An act to incorporate the Lawrenceburgh and Napolean turnpike company," approved Feb. 18, 1840;

Which were severally read the third time,

And passed.

Ordered, That the clerk report the same to the Senate and ask their concurrence therein.

No. 126. A bill regulating the rates of tolls on the Wabash and Erie canal;

Which was read a third time,

When Mr. Foley moved to lay it on the table;

And the ayes and noes having been demanded by Messrs. Foley and Forseman:

Those who voted in the affirmative are,

Messrs. Bearss, Blakemore, Boone, Byers, Chapman, Clark of Tippecanoe, Coffin, Cowen, Cuppy, Edger, Elder, Foley, Forseman, Gilbert, Handy, Hannah, Helwig, Hobbs, Hurlbut, James, Kerr, Macy, McAlister, McClure, McConnell, McDonald, Mickle, Montague, Montgomery, Mooney, Moore, O'Neal, Reed, Robbins, Shelby, Simonson, Spicknall, Verbrike, and Williamson—39.

Those who voted in the negative are,

Messrs. Allen of Putnam, Athon, Barbour, Bowles, Burton, Chambers, Conner, Dowling, Engle, Fuller, Garrett, Gorman, Gregory, Halbert, Hardin, Harris, Harrison, Hiatt, Hodges, Holloway, Hostetter, Jones of Fountain, Keimer, Kelly, Lee of Jefferson, Lee of Posey, Logan of Pike, Logan of Washington, McRae, Miller of Crawford, Miller of Vanderburgh, Morgan, Norvell, Nutter, Palmer, Parker, Rich, Roberts of Laporte, Roberts of Putnam, Saffer, Seller,

Simpson, Sutherland, Tevis, Turman, Williams, Wolfe, Wright, and Mr. Speaker.—49.

So said motion did not prevail.

When Mr. Forseman moved to re-commit said bill with certain instructions, to-wit:

"To amend by excepting pork in barrel, pork in bulk, bacon, lard, wheat, flour, castings, iron, salt, coffee, sugar, and flaxseed;"

When Mr. Parker moved the previous question;

Which was seconded.

The question being,

Shall the main question now be put?

Which was decided in the affirmative.

And the main question being,

Shall the bill pass?

And the ayes and noes being demanded by Messrs. Rich and Roberts of P:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Allen of Putnam, Bowles, Burton, Chambers, Coffin, Conner, Dowling, Edger, Ferry, Ford, Fuller, Garrett, Halbert, Hannah, Harris, Harrison, Hiatt, Hobbs, Hodges, Holloway, Hostetter, Huddleston, Hurlbut, Jones of Fountain, Jones of Franklin, Kelly, Kerr, Lee of Jefferson, Lee of Posey, Logan of Pike, Logan of Washington, Macy, McClure, McDonald, McRae, Mickle, Miller of Crawford, Miller of Vanderburgh, Montague, Morgan, Nees, Norvell, Nutter, O'Neal, Palmer, Parker, Rich, Roberts of Laporte, Roberts of Putnam, Saffer, Seller, Simonson, Simpson, Sutherland, Tevis, Turman, Verbrike, Williams and Wolfe—60.

Those who voted in the negative are,

Messrs. Athon, Bearss, Blakemore, Boone, Byers, Chapman, Clark of Tippecanoe, Cowen, Cuppy, Engle, Foley, Forseman, Gilbert, Gregory, Handy, Hardin, Helwig, James, Keimer, McAlister, McConnell, Montgomery, Mooney, Moore, Robbins, Shelby, Spicknall, Williamson and Mr. Speaker.—28.

So the bill passed.

Ordered, That the clerk report the same to the Senate and ask its concurrence therein.

BILLS ON THEIR SECOND READING.

No. 223. A bill amendatory of the execution law;

Which was read the second time,

When Mr. Roberts of Putnam moved to indefinitely postpone the same;

Then, Mr. Norvell moved the previous question,
Which was seconded.
And the question being,
Shall the main question be now put?
It was decided in the affirmative.
The main question was then put, to-wit:
Shall the bill be engrossed for a third reading on to-morrow?
And the ayes and noes being demanded by Messrs. Gorman and Roberts of P:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Athon, Bearss, Cowen, Cuppy, Elder, Ferry, Forseman, Hannah, Harrison, Holloway, Hostetter, Hurlbut, Logan of Washington, Macy, Miller of Crawford, McDonald, Nutter, Parker, Reed, Rich, Robbins, Roberts of Laporte, Seller, Shelby, Simonson, Simpson, Spicknall, Wolfe, Wright, and Mr. Speaker.—30.

Those who voted in the negative are,

Messrs. Allen of Putnam, Barbour, Barrett, Boone, Bowles, Burton, Byers, Chambers, Chapman, Clark of Tippecanoe, Coffin, Conner, Dowling, Edger, Engle, Foley, Ford, Fuller, Garrett, Gilbert, Gregory, Halbert, Handy, Hardin, Harris, Helwig, Hiatt, Hobbs, Hodges, Huddleston, James, Jones of Fountain, Keimer, Kelly, Kerr, Lee of J., Lee of Posey, Logan of Pike, McAlister, McClure, McConnell, McRae, Mickle, Miller of Vanderburgh, Montague, Montgomery, Mooney, Moore, Morgan, Nees, Norvell, O'Neal, Palmer, Roberts of Putnam, Saffer, Sutherland, Tevis, Turman, Verbrike, Williams, and Williamson,—61.

So the bill was lost on its engrossment.
Then,
On motion,
The House adjourned until half-past 6 o'clock, P. M.

Half-past 6 *o'clock, P. M.*

The House met.
And resumed the

ORDERS OF THE DAY.

No. 226. A bill to amend an act entitled "An act to establish and regulate ferries," approved Feb. 10, 1831;

Which was read a second and third times,

The rule being suspended therefor,

And the bill was considered as engrossed, and was passed

Ordered, That the Senate be informed thereof and its concurrence requested.

No. 227. A joint resolution authorizing Hyacinth Lasselle, of Cass county, to sue the State of Indianan;

Which was read a second time,

When Mr. Macy moved to amend as follows, to-wit:

Be it further resolved, That Pinckney James, his heirs, or assigns be and they are hereby authorized to institute a suit against the State of Indiana, in an action either at law or equity, as he or they may deem best, against said State of Indiana, in any circuit court of this State, to recover damages which he or they may have sustained for the noncompliance of a contract entered into on the twenty-third day of May, 1839, between Noah Noble, commissioner on the White Water Canal, and said Pinckney James, for the transfer of the State's realty and privileges in the property obtained from George H. Dunn and others, near the basin at the town of Lawrenceburgh; as also a peice of ground and certain privileges, bought of W. Gipson, on the bank of the river; and that the foregoing provisions be extended to the said Pinckney James both as to conducting the suit and obtaining his damages.

Then Mr. Moore moved to indefinitely postpone the bill and proposed amendment;

Which motion prevailed.

No. 228. A bill to incorporate the Terre Haute Draw Bridge Company;

Which was read a second time, when

Mr. Dowling moved to amend as follows:

Sec. 7. Whenever the said bridge shall be completed, the said corporation may erect a gate at either end of the bridge, and demand and receive the following rates of toll: For two horses or oxen and loaded wagon, 18¾ cents; for two horses or oxen with wagon not loaded, 12½ cents; for a four horse or ox team with wagon loaded, 25 cents; for a four horse or ox team with wagon not loaded, 18¾ cents; and for every additional horse or ox attached thereto, 3 cents; for a single horse and wagon or buggy, 12½ cents; for a man and horse, 6¼ cents; for every person on foot, 3 cents; for horses or cattle, mules or asses, led or driven, per head, two cents; for hogs, sheep, goats, and calves, one cent per head; and in analogous proportion of the foregoing rates for any other animals or carriages. But all persons going to, or returning from, religious worship; going to, and returning from, muster, when on militia duty; or those going to, or returning from, funerals, shall be exempt from tolls;

Which amendment was adopted, and the bill was considered as engrossed and read a third time, (the rule being suspended therefor) and passed.

Ordered, That the Senate be informed thereof and its concurrence be requested.

No. 230. A bill to incorporate the Michigan Road Company;

Which was read a second time and referred to the committee on corporations.

No. 233. A bill to authorize the General Superintendent of the Wabash and Erie Canal to drain a certain pond caused by the construction of said canal;

Which was read a second time and, on motion, was laid on the table.

No. 229. A bill to incorporate the Nohlen's Fork Canal Company;

Which was read a second time and referred to the committee on corporations.

No. 125. A bill to change the mode of selecting seminary trustees in the county of Lawrence, and for other purposes;

No. 239. A bill to locate a state road in Posey county;

No. 240. A bill to repeal a road law in Posey county;

No. 293. A bill regulating the fees of auditor in the county of Randolph;

No. 241. A bill declaring Big Creek a navigable highway;

No. 242. A bill for the relief of Samuel W. Sprott, against an unjust prosecution in the county of DeKalb;

No. 243. A bill in relation to a road tax in the county of Elkhart;

No. 247. A bill for the relief of William B. Townsend;

No. 244. A bill declaratory of the law in a special case in Fayette county;

No. 253. A bill to vacate the town of West Point, in Lake county;

No. 265. A bill relative to the road law in Perry county;

Which were severally read a second time, and considered as engrossed and read a third time, the rule being suspended therefor, and passed.

Ordered, That the Senate be informed thereof, and its concurrence asked.

No. 246. A bill to amend the road law;

Which was read a second time and referred to the committee on roads.

No. 245. A bill to repeal so much of the existing law as requires persons to have their deeds examined by the county auditur, so far as it relates to the county of Switzerland;

No. 251. A bill to prevent malicious prosecutions in criminal cases;

No. 261. A bill to change the time for the General Assembly of the State of Indiana to convene;

No. 262. A bill in relation to awards;

Which were severally read a second time, and

On motion,

Laid on the table.

No. 250. A bill fixing the time of holding courts in the tenth judicial circuit;

Which was read a second time, when

Mr. O'Neall moved to lay it on the table;

Which motion did not prevail.

The bill was then ordered to be engrossed for a third reading on to-morrow.

No. 256. A bill to organize the new county of Whitcomb;

Which was read a second time and referred to the select committee having that subject under consideration, of which Mr. Conner is chairman.

No. 252. A bill authorizing certain suits to be brought in the name of the State of Indiana;

Which was read a second time, and referred to the committee on the judiciary.

No. 254. A bill to provide for the transfer of saline lands and funds, in the county of Orange.

No. 260. A bill to amend the practice of law in the county of Shelby.

No. 266. A bill to reinstate the records of Noble county.

No. 267. A bill altering and fixing the time of holding courts in the twelfth judicial circuit, and for other purposes.

Which were severally read a second time and ordered to be engrossed for a third reading on to-morrow.

No. 263. A bill to provide for the election of a prosecuting attorney in each county, and to reduce their fees and salaries;

Which was read a second time, when

Mr. Gorman moved to lay it on the table;

And the ayes and noes being demanded by Messrs. Gorman and Barbour;

Those who voted in the affirmative are,

Messrs. Athon, Barbour, Barrett, Boone, Clark of Hamilton, Conner, Dowling, Elder, Foley, Fuller, Gorman, Hardin, Hiatt, Hodges, Holloway, Hostetter, Huddleston, Jones of Franklin, Kelley, Kerr, Lee of Jefferson, Lee of Posey, Macy, McClure, McConnell, McRae, Miller of Vanderburgh, Montgomery, Moore, Ness, Nutter, O'Neall, Parker, Roberts of Putnam, Saffer, Seller, Simonson, Simpson, Spicknall, Sutherland, Turman, Williams, Wolfe, Wright, and Mr. Speaker—47.

Those who voted in the negative are,

Messrs. Allen of Putnam, Bearss, Chapman, Edger, Engle, Ford, Garrett, Gilbert, Gregory, Halbert, Handy, Hannah, Harris, Helwig, Hurlbut, James, McAlister, McDonald, Mickle, Miller of Crawford, Montague, Morgan, Norvell, Palmer, Rich, Robbins, Shelby, Tevis, Verbrike, and Williamson—29.

So said bill was laid on the table.

Then at 8 o'clock, P. M.
On motion of Mr. Simonson,
The House adjourned till half-hast 8 o'clock to-morrow morning.

WEDNESDAY MORNING, JANUARY 10, 1844.

The House met pursuant to adjournment.

Mr. O'Neall asked and obtained leave to introduce the following resolution:

Resolved, That no new business will be received by this House after twelve o'clock meredian, on Thursday the 11th instant, unless by consent of three-fourths of the members present;

Which was
On motion,
Laid on the table.

The Speaker laid before the House the following communication from Messrs. Dowling and Cole, State Printers:

INDIANAPOLIS,
January 9th, 1844.

To the Hon. A. L. Robinson,

Speaker of the House of Representatives:

SIR: A difference of opinion having arisen between the Public Printers and the Secretary of State respecting the printing of the report of the Agent of State and the Governors' message; and also in regard to the folding of the regular House Journal and Documentary Journal; the undersigned would respectfully request the appointment of a committee, to consist in part, at least, of practical printers, to investigate the points at issue, and to report upon them to the House over which you preside.

I have the hohor to be,
With great respect,
Your ob't. serv't.
JOHN DOWLING,
For Dowling & Cole, State Printers.

Which was
On motion,
Referred to a select committee of Messrs. Engle, Holloway, and Jones of Fountain.

The Speaker laid before the House the petition of Jno. M. Ewing and others, citizens of Carroll county, relative to the Frankford road;

Which was referred to the committee on roads.

Mr. Gregory presented the petition of citizens of the town of Independence, praying that certain ground may be vacated;

Which was referred to a select committee of Messrs. Gregory, Hodges, and Miller of C.

By Mr. Ferry,

Of W. S. Hunter and others, citizens of Allen and DeKalb counties, praying the location of a state road;

Which was referred to a select committee of Messrs. Ferry, Burton, and Mickle.

By Mr. Mickle,

Of citizens of Adams county for the incorporation of a company to construct a turnpike road from Richmond to Fort Wayne;

Which was referred to the committee on corporations.

By Mr. Hurlbut,

Of citizens of St. Joseph county on the subject of the "negro laws."

When Mr. Allen of P., moved to lay the same on the table;

And the ayes and noes were demanded by Messrs. Hurlbut and Allen of P.

Those who voted in the affirmative are,

Messrs Allen of P., Athon, Barbour, Blakemore, Boone, Bowles, Burton, Byers, Chapman, Cowen, Clark of T., Cuppy, Dowling, Elder, Engle, Foley, Forseman, Fuller, Garrett, Gilbert, Gorman, Halbert, Hardin, Harrison, Helwig, Hodges, Hostetter, Jones of Franklin, Kelly, Logan of Pike, Logan of Washington, Macy, McAlister, McClure, McConnell, Miller of Vanderburgh, Mooney, Moore, Nees, Norvell, O'Neall, Robbins, Roberts of Putnam, Saffer, Seller, Shelby, Simonson, Smith, Spicknall, Sutherland, Tevis, Williams, Wolfe and Mr. Speaker.—51.

Those who voted in the negatine are,

Messrs. Allen of Laporte, Barrett, Bearss, Chambers, Clark of Hamilton, Coffin, Edger, Engle, Ford, Gregory, Handy, Hannah, Harris, Hiatt, Holloway, Huddleston, Hurlbut, James, Jones of Fountain, Kerr, Lee of Jefferson, Lee of Posey, McDonald, Mickle, Montague, Montgomery, Morgan, Nutter, Parker, Reed, Roberts of Laporte, Simpson, Verbrike, and Williamson—34.

So said petition was laid on the table.

By Mr. Forseman,

Of citizes of Fountain and Tippecanoe counties praying a change in a certain state road, &c.

Which was referred to a select committee of Messrs. Forseman, Clark of T., and Shelby.

By Mr. Nees,

Of citizens of Clay county praying for a location of a state road therein named;

Which was referred to a select committee of Messrs. Nees, Hardin, and Kelley,

By Mr. Cowen,

Of citizens of Elkhart county in relation to county boundaries;

Which was

On his motion,

Laid on the table.

By Mr. Harris,

Of Jacob Daringer of Marion county on the subject of a claim;

Which was referred to the committee on claims.

By. Mr. Harrison,

Of citizens of Ladoga for an additional constable;

Which was referred to a select committee of Messrs. Harrison, Seller, and Morgan.

By Mr. Ferry,

Of James Morrison and others, citizens of Indianapolis, praying the authority for the Protestent Episcopal church to raise a certain fund, &c.;

Which was referred to the committee on corporations.

By Mr. Nees,

Of citizens of Clay county on the subject of a bridge across Eel river in said county;

Which was referred to a select committee of Messrs. Nees, Hardin, and Kelley.

Also, of the same, praying that certain laws therein named may be repealed;

Which was referred to the same select committee.

By Mr. Holloway,

Of citizens of Wayne county on the subject of a turnpike road.

Which was referred to a select committee of Messrs. Holloway, Williamson, and Gilbert.

On motion of Mr. McConnell,

The petition on the subject of the revenue of Jasper county was taken from the table and referred to the committee on ways and means.

REPORTS FROM STANDING COMMITTEES.

Mr. Blakemore, from the committee on the judiciary, made following report:

MR. SPEAKER:

The judiciary committee to whom was referred bill No. 178, to amend an act in relation to divorces, approved Jan. 13th, 1843; have had the same under consideration and have directed me to report it back to the House and recommend its indeffinite postponement;

Which report was concurred in, and the bill indefinitely postponed.

Mr. Parker, chairman of the committee on the judiciary, made the following report:

MR. SPEAKER:

The judiciary committee to which was referred the communication of Wm. R. Dale as to tax titles for canal lands, have had that matter under consideration and in remedy of the difficulty suggested, they have directed me to report the accompanying bill and recommend its passage:

No. 321. A bill relative to tax titles, which was

Read a first and second times;

The rule being suspended therefor; when

Mr. Parker moved to suspend the rule further, consider the bill as engrossed, and that the bill be read a third time now;

Which prevailed.

The bill was then read a third time and passed.

Ordered, That the clerk report the same to the Senate and their concurrence requested.

Mr. Parker, chairman of the same committee, made the following report:

MR. SPEAKER:

The judiciary committee to which the subject was referred, by resolution of the House, of enquiring into the expediency of requiring the sales of lands mortgaged to the sinking fund, to be published in the counties where the lands are situated, have had that matter under consideration and have directed me to report the accompanying bill providing therefor, and recommend its passage:

No. 323. A bill in relation to sales of lands mortgaged for loans of the college funds and sinking funds; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Parker also made the following report:

MR. SPEAKER:

The judiciary committee to whom was referred the communication of Cutler & Chamberlain proposing to publish a compilation of the

laws which were in force prior to 1843, in the State of Indiana, and under the territorial government, relating to real property &c., have had that matter under consideration and are of the opinion that the publication proposed will be of immense utility to the people of this State, as the ancient laws, treaties, &c., relating to real estate &c., are now nearly out of print; and in those laws are embodied the fountain springs of the most of the land titles of the State: without the patronage of the State it is impossible to secure this publication to be made; therefore for the pupose of supplying each county with a copy of these laws and have a sufficient number left to supply the archives of State and the demand of after time, they report the accomanying bill and recommend its passage:

No. 323. A joint resolution concerning the laws of this State relating to real property; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Parker also made the following report:

Mr. Speaker:

The judiciary committee to which was referred the petition of Caleb White and others, securities of Hart & Tate, of Henry county, have had the matter of the petition under consideration and herewith report a bill in accordance with the prayer of the petitioners:

No. 324. A bill for the relief of the securities of Hart & Tate, of Henry county; which was

Read a first time and passed to a second reading on to-morrow.

Mr. McDonald, from the judiciary committee, made the following report:

Mr. Speaker:

The judiciary committee to whom was referred a resolution of the House instructing said committee to enquire into the expediency of amending the probate laws &c., have had the same under consideration and directed me to report that though they deem the subject one of vital importance to the best interests of the State, and well worthy the attention of the General Assembly, yet the shortness of the session would not warrant the introduction of a bill for the purpose of reorganizing said courts, requiring much time and patient attention to all its details, they therefore deem it inexpedient to legislate in the matter during the present session, and ask to be discharged from the further consideration thereof.

Which report was concurred in.

Mr. McDonald also made the following report:

Mr. Speaker:

The judiciary committee to whom was referred bill of the House No. 158, entitled "A bill to further retrench the expenses of the State,

have taken said bill into consideration and directed me to report the same back to the House and recommend its indefinite postponement, and ask to be discharged from the further consideration thereof.

Which report was concurred in, and bill No. 150, therein mentioned, indefinitely postponed.

Mr. McDonald also made the following report:

MR. SPEAKER:

The judiciary committee to whom was referred the petition of the trustees of the University of Vincennes, have had the same under consideration and have directed me to report that they deem it inexpedient to legislate in the matter and ask to be discharged from the further consideration thereof:

Which report was concurred in.

Mr. McDonald, from the same committee, made the followging report:

MR. SPEAKER:

The judiciary committee to whom was referred the communication of J. L. S———, and the paper accompanying the same, in relation to the rights of women, have had the same under consideration, and directed me to report that the existing laws allow of marriage settlements by which their rights of property may be amply protected, and would recommend to the *dear creatures* the exercise of a small portion of that acuteness for which the eastern portion of the union is so justly celebrated, and inthe preliminaries of their union provide for the disunion of their real and paraphernal property from the grasp of either a miserly or spendthrift party to that union; though a majority are of opinion that a union based upon such preliminaries is not as well calculated to secure unanimity in the union as the good old mode of a loving and abiding confidence in the object of their choice, which tends to make the union a *unit*, and though strongly inclined to think that women are *angels*, yet they cannot forget that *angels* may be *devils*; they therefore deem it inexpedient to legislate in the premises, and ask to be discharged from the further consideration thereof.

Which report was not concurred in; then

On motion of Simonson,

The said communication was referred to a select committee, with instructions to report a bill on that subject.

The Speaker announced the following gentlemen as composing said commtttee:

Messrs. Simonson, Moore, and Macy.

Mr. Barbour, from the committee on the judiciary, made the following report:

Mr. Speaker:

The committee on the judiciary to which was referred the several petitions of Jane Gillam and William Killmeyer, praying divorces from their respective consorts, have had the same before them, and have instructed me to report that having already reported a resolution declaring it inexpedient for the legislature to grant divorces, and regarding these applications as forming no exception to the rule before adopted, they report them back and ask to be discharged:

Which report was concurred in.

Mr. Barbour from the same committee also made the following report:

Mr. Speaker :

The committee on the judiciary to which was referred a resolution instructing them to enquire into the expediency of so amending the 374th sec. of the 30th chap. of the 14th article of the Revised Statutes, making provisions for the distribution of the surplus estate of deceased persons, and the payment of legacies, have examined the subject and instructed me to report that, regarding the provisions proposed to be repealed as of long standing and generally received utility, they deem it inexpedient to interfere with the same at this time.

Which report was concurred in.

Mr. Barbour from the same committee also made the following report:

Mr. Speaker:

The committee on the judiciary to whom was referred joint resolution of the House No. 62, to authorize the Governor of the State of Indiana to employ some suitable person to appear in the Supreme Court of the United States, in defence of our execution and appraisment laws, report that having entire confidence in the moral rectitude and judicial ability of the Supreme Bench of the United States, distrusting, somewhat, the restraining power and magic influence possessed by legal gentlemen over an independent judiciary, and being unwilling, in these "hard times," to incur expenses without a prospect of adequate benefits, they recommend the indefinite postponement of said joint resolution, and asked to be discharged, &c.

Which report was concurred in, and No. 62, therein named indefinitely postponed.

Mr. Barbour, from the same committee, also made the following report:

Mr. Speaker:

The committee on the judiciary, to whom was referred bill of the House No. 141, to enable State Bank and Branches of the State of Indiana to ever continue metalic payments," have well considered that subject, and have instructed me to report, that they duly feel the importance of holding our Banking institution to a strict accountability for, and a prompt discharge of, their legal liabilities; yet they believe the provisions of the bill under consideration, would operate most unjustly and oppressively, since Banks are subject to uncontrolable reverses of fortune, even in the discharge of their legitimate offices, and without the blame or culpability of its officers; they therefore recommend the indefinite postponement of the bill;

The question being,

Will the House concur in the said report ?

And the ayes and noes being demanded by Messrs. McRae and Simonson:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Barbour, Barrett, Blakemore, Boone, Burton, Byers, Clark of Hamilton, Cowen, Cuppy, Edger, Ferry, Foley, Ford, Forseman, Garrett, Gilbert, Gregory, Hannah, Harris, Harrison, Hiatt, Hobbs, Hodges, Holloway, Hostetter, Huddleston, Hurlbut, James, Jones of Franklin, Lee of Jefferson, Lee of Posey, Macy, McAlister, McDonald, Miller of Vanderburgh, Montague, Nutter, Parker, Reed, Roberts of Laporte, Roberts of Putnam, Seller, Shelby, Simpson, Smith, Spicknall, Sutherland, Verbrike, Williams, Williamson, Wolfe, and Mr. Speaker.—52.

Those who voted in the negative are,

Messrs. Athon, Bowles, Chambers, Chapman, Clark of Tippecanoe, Coffin, Engle, Gorman, Halbert, Handy, Hardin, Helwig, Keimer, Kelly, Kerr, Logan of Pike, Logan of Washington, McClure, McConnell, McRae, Mickle, Miller of Crawford, Montgomery, Mooney, Moore, Morgan, Norvell, O'Neal, Palmer, Robbins, Simonson, and Turman—31.

So the report was concurred in and the bill was indefinitely postponed.

Mr. Gorman, on leave, introduced

No. 325. A joint resolution providing for the compensation of the Revisors;

Which was read three several times,

The rule being suspended therefor,

And the question being,
Shall the joint resolution pass?
And the ayes and noes being demanded by Messrs. Moore and Roberts of P.:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Athon, Barbour, Barrett, Bearss, Blakemore, Boone, Burton, Byers, Chapman, Clark of Hamilton, Coffin, Cowen, Dowling, Edger, Elder, Engle, Foley, Ford, Forseman, Fuller, Garrett, Gilbert, Gorman, Gregory, Handy, Hannah, Hardin, Harris, Harrison, Helwig, Hiatt, Hobbs, Hodges, Holloway, Hostetter, Huddleston, Hurlbut, James, Jones of Fountain, Keimer, Kelly, Kerr, Lee of J., Lee of Posey, Logan of Pike, Macy, McAlister, McClure, McDonald, McRae, Mickle, Miller of Vanderburgh, Montague, Montgomery, Mooney, Morgan, Norvell, Nutter, Parker, Reed, Rich, Roberts of Laporte, Saffer, Seller, Shelby, Simonson, Simpson, Smith, Spicknall, Sutherland, Tevis, Turman, Verbrike, Williams, Williamson, and Wolfe—72.

Those who voted in the negative are,

Messrs. Allen of Putnam, Bowles, Clark of Tippecanoe, Cuppy, Ferry, Logan of Washington, McConnell, Miller of Crawford, Moore, O'Neall, Palmer, Robbins, Roberts of Putnam, and Mr. Speaker. —14.

So said joint resolution passed.

Ordered, That the Senate be informed thereof and its concurrence requested.

Mr. Wright, on leave, introduced

No. 326. A joint resolution to suspend the formation of the county of Ohio, and re-location of the county seat of Dearborn county, until said county shall be surveyed;

Which was read a first time,

When Mr. James moved to reject the same;

After debate thereon,

Mr. Norvell moved the previous question;

Which was not seconded.

Mr. James then withdrew his motion to reject;

And the joint resolution passed to a second reading on to-morrow.

Mr. O'Neal, from the committee on education, made the following report:

MR. SPEAKER:

The committee on education, to which was referred House bill No. 285, entitled "An act to repeal certain sections of an act therein named" have had the same under consideration, and have directed me to report that on examination of that part of the school law proposed to be repealed, your committee are of the opinion that the said sections if unrepealed, will entail a heavy expense on the State and no beneficial result be accomplished thereby; and your committee with a view to carry out the strictest economy in all public expenditures, report the aforesaid bill back to the House and recommend its passage;

Which report was concurred in, and bill

No. 285. In said report mentioned, was ordered to be engrossed for a third reading on to-morrow.

Mr. Hodges, from the committee on education, made the following report:

MR. SPEAKER:

The committee on education, to whom was referred the petition of Abraham Bowen and others, of the county of Marion, praying a change in the school laws, have had that subject under consideration, have directed me to report that they deem it inexpedient to legislate on that subject at this time, and ask to be discharged from the further consideration thereof;

Which report was concurred in.

Mr. Hodges, from the same committee, made the following report:

MR. SPEAKER:

The committee on education, to whom was referred the petition of Henry Ingle of Clay county, praying relief in a certain case therein named, have had the same under consideration, and directed me to report the following bill and recommend its passage:

No. 327. A bill for the relief of Henry Ingle; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Norvell, chairman of the committee on education, made the following report:

MR. SPEAKER:

The committee on education, to which was referred bill of the House No. 209, in relation to the examiners of the teachers of common schools, have had the same under consideration, and have directed me

to report back said bill for the consideration of the House, and ask to be discharged from the further consideration of the same;

Which report was concurred in, and bill

No. 209. Therein named, ordered to be engrossed for a third reading on to-morrow.

Mr. Norvell, from the same committee, made the following report:

Mr. Speaker:

The committee on education, to which was referred the petition of sundry citizens of town 25, range 2 west, of Carroll county, praying the passage of a law authorizing the township trustees to lease the school lands of said township for 90 years, have had the same under consideration, and have directed me to report the following bill and recommend its passage:

No. 328. A bill to authorize the township trustees of town 25, range 2 west, to lease the school lands belonging to the school section of said township, in Carroll county;

Which was read a first and second times,

The rule being suspended therefor,

When Mr. Moore moved to amend by inserting a repealing clause;

Which motion did not prevail.

When the rule was further suspended, and the bill was considered as engrossed, and read a third time and passed.

Ordered, That the Senate be informed thereof and its concurrence be asked.

Mr. Hurlbut, from the committee on roads, made the following report:

Mr. Speaker:

The committee on roads, to whom was referred bill of the House, No. 268, upon the subject of roads, have had that matter under consideration, and have instructed me to report the bill back to the House without amendment, and recommend its passage;

On motion of Mr. Morgan,

Said bill in the report mentioned, was amended as follows:

"Amend section 1st by making it the duty of the proper supervisor to perform the duties required of him in said section at the first meeting of the board doing county business, after the expiration of his term of office."

Then the bill was ordered to be engrosed for a third reading on to-morrow.

Mr. Roberts of P., chairman of the committee on canals, &c, made the following report:

Mr. Speaker.

The committee on canals and internal improvements, to which was referred a bill of the House, No. 144, in relation to the New Albany and Vincennes McAdamized road, with two resolutions on the same subject, have had the same under consideration, and have directed me to report the bill back to the House with one amendment, strike out the second section and insert one in lieu thereof, and recomend its passage;

The amendment of the committee to No. 144, in said report mentioned, was concurred in;

When Mr. McRae moved to amend the bill as follows:

"Strike out all that which appertains to granting the privilege of passing by the year, for certain prices therein named, also, the reduction of tolls between the month of March and December, annually;

Which amendment was not adopted.

Mr. Moore moved to amend by striking out "$2" and inserting "$1;"

Which was not adopted.

Mr. Engle moved to amend by adding the following section:

Sec. —. That all certificates or other evidences of debt issued in pursuance of law, by the commissioner, on that part of the road between Paoli and Mount Pleasant, shall be paid out of the proceeds of said road, and it is hereby made the duty of the superintendent hereafter to be elected, to apply all moneys that may come into his hands over and above the sum necessary to keep the same in repair, and to pay expenses to the redemption of such certificates or evidences of debt as may be outstanding at the passage of this act;"

Which amendment was adopted.

Mr. Roberts of P. moved to amend by adding the following section:

"That all persons going to or returning from musters, all persons going to or returning from funerals, all persons going to or returning from elections, and all persons going to or returning from Religious Worship, may pass on said road free of tolls;"

Which was adopted.

Then the bill was ordered to be engrossed for a third reading on tomorrow.

Mr. Palmer, from the committee on canals, &c, reported back bill No. 58, a bill reviving and amendatory of an act entitled "An act for the relief of settlers on the Wabash and Erie canal lands," approved Feb. 24, 1840, with an amendment;

Which amendment was concurred in.

The bill was then considered as engrossed, and read a third time and passed.

Ordered, That the clerk report the same to the Senate and ask their concurrence therein.

Mr. Ferry, chairman of the committee on corporations, made the following report:

MR. SPEAKER:

The committee on corporations, to which has been referred bill of the House No. 237, entitled "A bill to incorporate the Warren county canal company," have had the same under consideration, and have directed me to report the same back to the House with the following amendment:

Add to the said bill the following section:

SEC. —. The legislature reserves the right to amend or repeal this act or any part thereof at any time hereafter;

In which amendment the concurrence of the House is respectfully solicited.

The amendment of the committee to bill No. 237, in the report mentioned, was concurred in, and the bill considered as engrossed, read a third time and passed.

Ordered, That the clerk report the same to the Senate and ask their concurrence therein.

REPORTS FROM SELECT COMMITTEES.

Mr. Huddleston, from a select committee, made the following report:

MR. SPEAKER:

The select committee, to which was referred a petition of sundry citizens of Henry county, on the subject of improving Buck creek, in said county, have had the same under consideration, and have directed me to report a bill, and ask the passage thereof;

No. 329. A bill providing for removing obstructions in Buck creek in Henry county;

Which was read three several times,

The rule being suspended therefor,

And passed.

Ordered, That the clerk report the same to the Senate and ask their concurrence therein.

Mr. Forseman, from a select committee, made the following report:

MR. SPEAKER:

The select committee to whom was referred the petition and remonstrance of sundry citizens of the counties of Montgomery, Fountain,

and Tippecanoe, praying for the location of a state road in said counties, have had the same under consideration, and have directed me to report the following bill and recommend its passage:

No. 330. A bill to locate a state road from Pleasant Hill in Montgomery county to Fulton in Fountain county;

Which was read a first and second times,

The rule being suspended therefor,

And ordered to be engrossed for a third reading on to-morrow.

Mr. Moore, from a select committee, made the following report:

Mr. Speaker:

The select committee, to whom was referred a petition of sundry citizens of Owen and Clay counties, praying for relief for O'Bryant McNamer, have had that subject under consideration, and have dire c ted me to report the following bill and recommend its passage:

No. 331. A bill for the relief of O'Bryant McNamer, and for other purposes; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Ferry, from a select committee, made the following report:

Mr. Speaker:

The select committee, to which was referred the petition of William T. Hunter and others, citizens of Allen and DeKalb counties, praying the location of a certain road therein named, have had the same under consideration, and have directed me to report the following bills and recommend their passage:

No. 332. A bill to locate a state road in the county of Allen;

No. 333. A bill the better to improve the leading roads in the counties of Allen, DeKalb, Noble, Whitley, Huntington, Wells and Adams; which were each

Read a first time and passed to a second reading on to-morrow.

Mr. Conner, from a select committee, made the following report:

Mr. Speaker:

The select committee, to whom was referred a bill to organize the county of Tipton, together with several petitions on that subject, have directed me to report the following bill and recommend its passage:

No. 334. A bill to organize the counties of Tipton and Richardville;

Which was read a first time, when

Mr. Robbins, in behalf of the minority of said committee, made the following report:

Mr. Speaker:

The minority of a select committee, to which has been referred a a bill of this House, numbered 177, entitled "A bill attaching certain territory to the counties of Fulton and Miami," and also, bill of this House, No. 81, entitled "A bill creating the county of Tipton," respectfully beg leave to dissent from the report made by a majority of said committee, and among others urge the following grounds:

1st. That the said report recommends the passage of a bill organizing two counties out of territory containing but little more than the constitutional quantity required for one county.

2d. That it contemplates including within said newly organized counties, territory which should properly belong to the county of Miami.

3d. That the contemplated new counties must necessarily be of a very awkward shape, inasmuch as one of those counties will be about 26 miles long and less than half that distance in breadth, we report back bill No. 177 and recommend its passage.

JOSEPH ROBBINS.
D. R. BEARSS.

Mr. Gorman then moved to reject the bill;
Then Mr. Parker moved the previous question;
Which was seconded.
The question being,
Shall the main question be now put?
Which was decided in the affirmative.
The main question was then put, to-wit:
Shall the bill be rejected?
Which was decided in the negative.
Then,
On motion,
The rule was suspended, and the bill was read a second time, when
Mr. Gorman moved to amend the bill so as to attach the county of Richardville to Madison county, for Representative and Senatorial purposes;
Which was not adopted.
Mr. McDonald moved to amend by striking out "Richardville" and insert "Whitcomb;"
Which was not agreed to.
Mr. Gorman moved to reconsider the vote just taken on Mr. McDonald's amendment;
And before any action was had thereon,
The House adjourned until half-past 1 o'clock P. M.

Half-past 1 *o'clock P. M.*

The House met.

The House then resumed the consideration of the motion of Mr. Gorman to reconsider the vote taken on the proposed amendment of Mr. McDonald;

and the question being taken thereon,

It was decided in the negative.

On motion of Mr. Roberts of P.,

The bill was considered as engrossed, and the rule being suspended, the bill was read a third time,

And passed.

Ordered, That the clerk report the same to the Senate and ask their concurrence therein.

Mr. Ferry, in behalf of himself and others, presented the following protest:

Which was ordered to be spread on the journal.

The undersigned, members of the House of Reprsentatives of the present General Assembly of the State of Indiana, avail ourselves of our constitutional privilege in protesting against the action of a majority of this House, in the passage of a bill to raise a revenue for the year 1844, and the redemption of treasury notes, on the ninth day of January, 1844.

We protest because, first, the gag of the previous question was sustained at each stage in the passage of the bill, so as to cut off an amendment proposing to strike out so much of said bill as provides that property exempt from execution shall be subject to taxation; rendering the act, in our opinion, unequal in its operations upon the poorer classes of community; unjust in its effect upon the unfortunate; and inhuman in its tendency upon the rights and claims of the widow and the orphan.

The undersigned cannot but regard any system of taxation, of so scrutinizing a character that the cow, the spinning wheel, and the Bible of every poor woman in the country are among its objects, other than oppressive.

JOSEPH CHAPMAN,
L. P. FERRY,
A. C. HANDY,
S. S. MICKLE,
ISHAM FULLER,
JACOB HELWIG,
EDWARD EDGER,
JOHN HODGES,
JOSEPH ROBBINS,
PETER KEEMER,
J. W. WILLIAMSON,
HOUSTON MILLER,
JOSEPH COWAN,
CALEB GARRETT,
HEMAN H. BARBOUR,
ABRAHAM CUPPY,
ROYSTON FORD.

Mr. Bearss, from a select committee, made the following report:

Mr. Speaker:

The select committee to which was referred the petition of sundry citizens of Wabash county, on the subject of certain public ground in the town of Wabash, have had that subject under consideration, and have directed me to report the following bill and recommend its passage:

No. 335. A bill relative to certain public grounds in the town of Wabash, and the use and improvement of the water power at the lock on the Wabash and Erie Canal at said town;

Which was read three several times, (the rules being suspended therefor) and passed.

Ordered, That the Senate be informed thereof and its concurrence asked.

Mr. Bowles moved to take from the files

No. 144. A bill to reduce the tolls on the New Albany and Vincennes road, and for other purposes;

Which motion prevailed.

The bill was then referred to a select committee of Messrs. Bowles, Williams, and Halbert, with instructions to amend generally.

Mr. Moore moved to take from the table

No. 262. A bill in relation to awards;

Which motion prevailed.

The bill was then, on motion, referred to a select committee of Messrs. Rich, Moore, and McDonald.

Mr. Helwig, from a select committee, made the following report:

MR. SPEAKER:

The select committee, to which was referred bill of the House No. 171, and an instruction therewith referred, have had the same under consideration, and have directed me to report the same back with the following as an additional section to said bill:

SEC. 5. That the boards doing county business in said counties of Steuben and DeKalb, be and they are hereby authorized, in their discretion, to fix the amount of the road tax on lands in their respective counties, either under this act or the act to which this is amendatory; to be collected in either case under the provisions of the said act and amendment;

And respectfully ask the concurrence of the House in said amendment, and to be discharged from the further consideration of the subject.

The amendment of the committee was concurred in, and the bill therein named was ordered to be engrossed for a third reading on tomorrow.

Mr. Harrison, from a select committee, made the following report:

MR. SPEAKER:

The select committee, to whom was referred the petition of sundry citizens of Ladoga, Montgomery county, have had the same under consideration, and have directed me to report the following bill and recommend its passage;

No. 336. A bill to elect an additional constable in Ladoga, Montgomery county;

Which was read a first time and passed to a second reading on tomorrow.

Mr. Logan of Washington, from a select committee, made the following report:

MR. SPEAKER:

The select committee, to whom was referred the petition of Nathaniel H. Dewit and others, citizens of Washington and Clark counties, praying the location of a state road between Little York, in Washinton county, and New Providence in Clark county, have, according to order, had the subject therein contained under their consideration, and have directed me to report the following bill and recommend its passage.

No. 337. A bill to establish a state road from Little York in Washington county, to New Providence in Clark county;

Which was read three several times, (the rules being suspended therefor,) and passed.

Ordered, That the same be reported to the Senate and its concurrence be asked.

Mr. Holloway, from a select committee, made the following report:

Mr. Speaker:

The select committee to which was referred the petition of sundry citizens of the city of Richmond, asking chartered privileges for the purpose of constructing a turnpike road, from a point where the Dayton Western Turnpike road intersects the line between the States of Ohio and Indiana, to a point west, on the Cumberland road, near the residence of Amos Clawson, on said road, have had that matter under consideration, and have directed me to report the following bill and respectfully to recommend its passage:

No. 338. A bill to incorporate the Richmond Turnpike Company and for other purposes;

Which was read a first and second times, (the rule being suspended therefor,) when

Mr. Gorman moved to amend as follows.

"That any person or persons may and they are hereby authorized and empowered, fully and completely, to construct a clay or McAdamized road, from Bloomington, via Nashville in Brown county, to Columbus in Bartholomew county, under the act entitled "An act to provide for the continuance of the construction of all or any part of the public works of this State by private companies, and for abolishing the board of internal improvements, and the offices of Fund Commissioner and Chief Engineer," approved Jan. 28th, 1842.

This act to be in force from and after its passage;"

Which amendment was adopted.

Mr. Chapman moved to further amend by striking out "a majority of two thirds," and inserting in lieu thereof "a majority of the legislature;"

Which motion prevailed.

Then the bill, on motion, was considered as engrossed, and read a third time and passed.

Ordered, That the Senate be informed thereof and its concurrence asked.

Mr. Nees, from a select committee, made the following report:

Mr. Speaker:

The select committee to whom was referred the petition of sundry citizens of Clay county, praying for the relief of the heirs of John Talbott, deceased, have had that subject under consideration, and directed me to report the following bill and recommend its passage:

No. 339. A bill for the relief of the heirs of John Talbott, deceased;

Which was read a first time and passed to a second reading on tomorrow.

Mr. Gregory, from a select committee, made the following report:

MR. SPEAKER:

The select committee to whom was referred the petition of sundry citizens of the town of Independence, praying a portion of said town to be vacated, have had the same under consideration, and have directed me to report the following bill and recommend its passage:

No. 340. A bill to vacate a part of the town of Independence, in the county of Warren;

Which was read three several times, (the rules being suspended therefor,) and passed.

Ordered, That the Senate be informed thereof and its concurrence be requested.

INTRODUCTION OF BILLS.

Mr. Robbins introduced,

No. 341. A bill to detach certain territory from the county of Miami, and attach the same to the county of Fulton;

Which was read three several times, (the rules being suspended therefor,) and passed.

Mr. Burton introduced,

No. 342. A bill to reduce the prices paid for ferriages in Lawrence county;

Mr. Sutherland introduced,

No. 343. A bill for the relief of the heirs of Samuel Howard, deceased:

Mr. Bearss introduced,

No. 344. A bill to repeal a portion of an act relative to suits against the Miami Indians;

Mr. Gorman introduced,

No. 345. A bill to amend an act entitled "An act to provide for the payment of expenses incurred for the protection of the school fund and for other purposes," approved Feb. 11th, 1843;

Mr. Robbins introduced,

No. 351. A bill relative to the surplus revenue fund in the counties of Blackford and Jay;

Mr. Ferry introduced,

No. 354. A bill to reduce the expenditures of the county of Carroll;

Mr. Gorman introduced,

No. 357. A bill for the relief of purchasers of school lands in Monroe county;

Mr. Ferry introduced,

No. 358. A bill to exclude certain real estate from the incorporation of Michigan City, and to vacate an addition to said city;

Mr. Hobbs introduced,

No. 361. A bill to provide for summoning petit jurors in the Lagrange circuit and probate courts;

Which were each read a first, second, and third times, (the rules being suspended therefor,) and passed.

Ordered, That the Senate be informed thereof and its concurrence requested.

Mr. Chapman introduced,

No. 346. A bill to authorize the qualified voters of this State to vote for or against a convention for a revision of the constitution of this State;

Mr. Sutherland introduced,

No. 347. A bill to authorize the agent of the surplus revenue of Marion county to sell certain real estate;

Mr. Shelby introduced,

No. 352. A bill to vacate a part of a state road in Tippecanoe county;

Mr. McDonald introduced,

No. 355. A bill to prevent the prosecution of individuals for certain acts therein named;

Mr. Macy introduced,

No. 359. A bill for the relief of purchasers of congressional school lands;

Mr. Lee of Posey introduced,

No. 350. A bill to prevent seduction;

Which were severally read a first time and passed to a second reading on to-morrow.

Mr. Mickle introduced,

No. 353. A bill to provide for the distribution of road and election laws;

Which was, on motion, laid on the table.

Mr. Allen of Laporte introduced,

No. 356. A bill to incorporate the Union Mill Company in Laporte county;

Which was read a first and second times, (the rules being suspended therefor,) and, on motion, referred to the committee on corporations.

Mr. Norvell, on leave, made the following report from the committee on education:

Mr. Speaker:

The committee on education to which the petition of sundry citizens of Russell township, in Putnam county, praying the election of a school commissioner in said township, have had the same under consideration and have directed me to report the following bill and recommend its passage:

No. 348. A bill to provide for the election of school commissioner in Russell township, Putnam county;

Which was read three several times, (the rules being suspended therefor,) and passed.

Ordered, That the Senate be informed thereof and its concurrence requested.

Mr. Norvell, from the same committee, on like leave, made the following report:

Mr. Speaker:

The committee on education to which was referred a resolution of this House, (offered by the gentleman from Washington, Mr. Logan,) have had the same under consideration, and have directed me to report the following bill and recommend its passage:

No. 349. A bill supplemental and amendatory to the 96th and 97th sections of the common school law, providing for weak districts in the late Revision;

Which was read a first time and passed to a second reading on to-morrow.

Mr. Parker on leave made the following report, as chairman of the judiciary committee:

Mr. Speaker:

The judiciary committee to which was referred bill No. 255, of the House, authorizing the auditor of Hendricks county to purchase certain lands in said county in trust for the county, have examined the same, and now report it back and recommend its passage.

No. 250, in the said report mentioned, was read the third time and passed.

Ordered, That the Senate be informed thereof and its concurrence requested.

Mr. Rich, from a select committee, made the following report:

Mr. Speaker:

The select committee to whom was referred bill

No. 262. A bill in relation to awards;

Have had that subject under consideration and have directed me to report the bill back with the following amendment, to-wit: insert between the words "law" and "and," in the first section, the words "in favor of —— Klapp and —— Klapp, of Jennings county;" and recommend its passage;

Which amendment was concurred in, and, on motion, the bill was considered as engrossed, and the rule was suspended, and the bill read a third time and passed.

Ordered, That the clerk inform the Senate thereof and respectfully ask its concurrence.

Mr. Bowles introduced

No. 362. A bill making general appropriations for the year 1844;

Which was read a first and second times,

The rule being suspended therefor,

When Mr. Moore moved to amend by striking out "$5000 for new Penitentiary;"

Which did not prevail.

Then the bill was ordered to be engrossed for a third reading on to-morrow.

Mr. Morgan, on leave, made the following report from a select committee:

MR. SPEAKER:

The select committee, to which was referred the petition of A. M. C. Goudy and others, praying a change in the law declaring Little Blue river a public highway, have had that subject under consideration, and instructed me to report the following bill, and ask to be discharged:

No. 360. A bill to amend a certain act therein named; which was

Read a first time and passed to a second reading on to-morrow.

Mr. Nutter introduced

No. 363. A bill in relation to the surplus revenue fund;

Which was read a first and second times,

The rule being suspended therefor,

When Mr. Gorman moved to amend by striking it out from the enacting clause and inserting a substitute therefor;

Which was adopted.

Then,

On motion of Mr. Allen of Putnam,

The bill as amended was laid on the table.

Mr. Ferry, chairman of the committee on corporations, on leave, made the following report:

MR. SPEAKER:

The committee on corporations, to which was referred the memorial of James Morrison and others, citizens of Indianapolis, praying that the Protestant Episcopal Church in this State, be authorized to raise a fund for the support of a Bishop, and to aid initerant and superannuated ministers, their widows and childern, have had the same under consideration, and have directed me to report the following bill and recommend its passage;

No. 364. A bill to authorize the Protestant Episcopal church in this State to raise a fund for the support of a Bishop, and to aid itinerant and superannuated ministers, their widows and children;

Which was read a first and second times,

The rule being suspended therefor,

When Mr. Moore moved to amend the bill by striking out "$100,000" and inserting "$10,000;"

Which did not prevail.

Then Mr. Moore moved to indefinitely postpone the bill;

And the ayes and noes being demanded by Messrs. Moore and Fuller:

Those who voted in the affirmative are,

Messrs. Boone, Burton, Chapman, Clark of Hamilton, Foley, Fuller, Halbert, Holloway, Hostetter, Huddleston, Jones of Franklin, Keimer, Lee of Posey, Logan of Washington, McAlister, McConnell, McRae, Moore, Nees, O'Neal, Roberts of Putnam, and Wright. —22.

Those who voted in the negative are,

Messrs. Allen of Laporte, Allen of Putnam, Athon, Barbour, Barrett, Bearss, Bowles, Byers, Chambers, Clark of Tippecanoe, Coffin, Conner, Cuppy, Dowling, Edger, Elder, Engle, Ferry, Ford, Forseman, Garrett, Gilbert, Gorman, Gregory, Handy, Hannah, Hardin, Harris, Harrison, Helwig, Hiatt, Hobbs, Hodges, Hurlbut, James, Jones of Fountain, Kelly, Kerr, Lee of Jefferson, Logan of Pike, Macy, McClure, McDonald, Mickle, Miller of Vanderburgh, Montgomery, Mooney, Morgan, Norvell, Nutter, Parker, Reed, Rich, Roberts of Laporte, Saffer, Seller, Shelby, Simonson, Smith, Spicknall, Sutherland, Tevis, Turman, Verbrike, Williams, Williamson, Wolfe, and Mr. Speaker—67.

So said bill was not indefinitely postponed.

Mr. Norvell moved to recommit the bill to the committee on corporations;

Which motion did not prevail.

Mr. Hobbs moved to suspend the rule and read the bill a third time now;

Which motion did not prevail.

Mr. Norvell moved to lay the bill on the table;

Which motion did not prevail.

Mr. Harrison moved to amend by striking out "$100,000" and inserting "$50,000;"

Which motion did not prevail.

The question recurred,

Shall the bill be engrossed for a third reading on to-morrow;

And the ayes and noes being demanded by Messrs. Moore and Roberts of P:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Allen of Putnam, Athon, Barbour, Barrett, Bearss, Byers, Chambers, Coffin, Conner, Dowling, Edger, Elder, Ferry, Garrett, Gilbert, Gorman, Gregory, Handy, Hannah, Harris, Helwig, Hiatt, Hobbs, Hodges, Hostetter, Hurlbut, Jones of Fountain, Kerr, Lee of Jefferson, Logan of Pike, Macy, McClure, McDonald, McRae, Mickle, Miller of Vanderburgh, Montgomery, Mooney, Morgan, Nutter, Parker, Reed, Roberts of Laporte, Saffer, Seller, Shelby, Simonson, Simpson, Spicknall, Sutherland, Tevis, Turman, Verbrike, Williams, Williamson, Wolfe, and Mr. Speaker.—58.

Those who voted in the negative are,

Messrs. Boone, Burton, Chapman, Clark of Hamilton, Clark of Tippecanoe, Cuppy, Engle, Foley, Ford, Fuller, Halbert, Hardin, Harrison, Holloway, Huddleston, Jones of Franklin, Kelly, Lee of Posey, Logan of Washington, McAlister, McConnell, Montague, Moore, Nees, Norvell, O'Neal, Palmer, Rich, Roberts of Putnam, and Wright—30.

So said bill was ordered to be engrossed.

Mr. Turman, from the committee on public buildings, made the following report:

Mr. Speaker:

The committee on public buildings, in discharge of their duties have examined the various buildings belonging to the State, and make the following

REPORT:

Upon an examination of the State House they find that the roof is very much out of repair, and the building exposed to much injury thereby, and that some other small repairs are necessary to be made.

Upon an examination of the House in the Governor's Circle they find that the Cupola is out of repair, and needs to be re-covered, and also, that some other small repairs are necessary for the present safety of said building. Your committee find that this building is fast going to decay, and in the opinion of your committee, will soon be beyond the reach of repar; and your committee are of the opinion that it would be for the interest of the State to dispose of said building and the ground in said circle; And your committee would recommend that His Excellency the Governor be authorized to receive proposals for

said building and ground, and submit said proposals for the consideration of the next legislature.

The office of the clerk of the supreme court is also somewhat out of repair, and needs a small appropriation for that purpose.

The committee have also examined the condition of the Governor's House, and find it to be such that an additional expenditure is absolutely necessary for furniture therefor, for the comfort and convenience of the same, and to remain therein as the property of the State.

Your committee therefore report the following bill and recommend its passage:

No. 365. A bill to provide for repairing public buildings and other purposes;

Which was read a first and second times,

The rule being suspended therefor,

And referred to the committee on ways and means.

Mr. Handy moved to reconsider the vote taken on the motion to lay on the table bill No. 363;

Which motion prevailed.

Then Mr. Hannah moved to amend the bill by inserting after the words "surplus revenue" the words "official bonds;"

Which proposed amendment was not adopted.

Then Mr. Parker moved to amend the bill as amended by striking it out from the enacting clause, and inserting the following in lieu thereof, to-wit:

"That the 51st section of the 13th chapter of the Revised Statutes of 1843, shall not be construed to extend to sales on execution in favor of the surplus revenue funds, so far as the appraisement of property is concerned;"

Which proposed amendment was accepted by Mr. Gorman;

And, then,

On motion,

The rule was suspended, and the bill was considered as engrosed as amended, was read a third time,

And passed.

Mr. Dowling moved to amend the title of the bill as follows:

Strike out the title from the word "bill" and insert "in relation to the surplus revenue fund;"

Which was adopted.

Ordered, That the clerk inform the Senate thereof and ask its concurrence therein.

Mr. O'Neal moved to reconsider the vote taken on the passage of bill 136, a bill to provide for the payment of taxes by non-residents through the State Treasurer;

Which motion prevailed.

The question recurring upon the passage of said bill;

And the ayes and noes being demanded by Messrs. Mickle and Robbins:

Those who voted in the affirmative are,

Messrs. Athon, Barbour, Bearss, Bowles, Chapman, Coffin, Conner, Engle, Gilbert, Halbert, Hannah, Hardin, Holloway, Macy, Montague, Mooney, Palmer, Parker, Simonson, Simpson, and Sutherland. —21.

Those who voted in the negative are,

Messrs. Allen of Laporte, Allen of Putnam, Blakemore, Boone, Burton, Byers, Chambers, Clark of Tippecanoe, Cuppy, Dowling, Edger, Ferry, Foley, Ford, Forseman, Garrett, Gorman, Gregory, Handy, Harris, Harrison, Helwig, Hiatt, Hobbs, Hodges, Hostetter, Huddleston, Hurlbut, James, Jones of Fountain, Jones of Franklin, Keimer, Kelly, Kerr, Lee of Jefferson, Logan of Pike, Logan of Washington, McAlister, McClure, McConnell, McDonald, McRae, Mickle, Miller of Crawford, Miller of Vanderburgh, Montgomery, Moore, Morgan, Norvell, Nutter, O'Neal, Read, Rich, Robbins, Roberts of Laporte, Roberts of Putnam, Saffer, Seller, Shelby, Smith, Spicknall, Tevis, Turman, Verbrike, Williams, Williamson, Wolfe, and Mr. Speaker.—66.

So said bill was lost.

The following message was received from the Senate by Mr. Otto, their Principal Secretary:

Mr. Speaker:

The Senate have passed engrossed bills thereof of the following titles:

No. 68. A bill allowing foreign and domestic merchandise in the counties of Noble, Lagrange, Steuben, and DeKalb, to be vended without licenses;

No. 91. An act providing for the location of a State road in the counties of Noble and Lagrange;

No. 154. An act to change a state road in Daviess county;

Also, an engrossed joint resolution thereof, to-wit:

No. 31. A joint resolution relative to the State Bank of Indiana;

Also, an engrossed bill of the House of Representatives, to-wit:

No. 120. An act to provide for the re-location of the seat of justice in the county of Martin;

With three amendments.

In which engrossed bills and amendments of the Senate, I am directed to ask respectfully the concurrence of this House.

The Senate have passed without amendment, engrossed bills of the House of Representatives:

No. 34. An act regulating the boundaries of the counties of Warrick and Gibson;

No. 194. An act to establish a certain road therein named a state road.

The amendments of the Senate to

No. 120. In said message mentioned, were concurred in.

No. 91. Of the Senate, in said message mentioned, was

Read a first time and passed to a second reading on to-morrow.

No. 68. In said message mentioned, was

Read a first time; when

Mr. Foley moved to reject it;

Which motion did not prevail.

The bill then passed to a second reading on to-morrow.

No. 31. A joint resolution of the Senate, in said message mentioned, and

No. 154. A bill in said message mentioned, were each

Read a first time and passed to a second reading on to-morrow.

The following message was received from the Senate by Mr. Otto, their Principal Secretary:

Mr. Speaker:

The Senate has passed without amendment, engrossed bills of the House of Representatives, of the following titles, to-wit:

No. 30. An act incorporating the first Presbyterian church of Decatur;

No. 10. An act for the relief of Persis Hubbard;

Also, an engrossed bill of the House of Representatives, to-wit:

No. 109. An act to change the name of Henry Bragg to the name of Henry Rittenour, and for other purposes;

With two amendments.

Also, engrossed bills of the Senate, of the following titles, to-wit:

No. 83. An act for the relief of Delaware and Grant counties;

No. 66. An act the better to secure the payment of the revenue into the State Treasury in such funds as are collected by the county treasurers;

In which engrossed amendments and bills of the Senate I am directed to ask respectfully the concurrence of this House.

The amendments of the Senate to bill

No. 109. Of the House, in said message mentioned, were concurred in.

No. 83. Of the Senate, in said message mentioned, was

Read a first time and passed to a second reading on to-morrow.

No. 66. In said message mentioned, was

Read a first and second times,

The rule being suspended therefor,

When Mr. Simonson moved to amend as follows: add

Sec. —. That the several county treasurers in this State are directed to pay any warrants upon the State Treasury that may be presented, and to do so, the treasurers may use any funds in their hands, desired by the holder of the warrants, and such warrants shall be the proper vouchers of the treasurers in their settlements with the Treasurer of State: *Provided*, that the provisions of this section shall only extend to appropriations made by the present General Assembly.

Amend by striking out the word "passage," in the 4th section and insert "publication in the Indiana Journal;"

Which were adopted.

The rule was,

On motion,

Further suspended, and the bill was read a third time,

And passed.

Ordered, That the clerk inform the Senate thereof.

Then,

On motion,

The House adjourned till to-morrow morning, half-past eight o'clock.

THURSDAY MORNING, JAN. 11th, 1844.

The House met pursuant to adjournment.

Mr. Byers, from a select committee, on leave, made the following report:

Mr. Speaker:

The select committee, to whom was referred a petition of sundry citizens of Clinton county, praying for the incorporation of a railroad company, have had that matter under consideration, and have directed me to report the following bill and recommend its passage:

No. 366. A bill to incorporate the Frankfort railroad company;

Which was read three several times,

The rule being suspended therefor,

And passed.

Ordered, That the clerk report the same to the Senate and ask their concurrence therein.

On motion of Mr. Lee of J.,

Mr. Chambers has leave to be absent from the service of this House during the remainder of this session, his family being seriously indisposed.

PETITIONS WERE PRESENTED.

By Mr. Chapman,

Of citizens of Hancock county, in relation to the election laws;

Which was referred to the committee on elections.

Also, the petition of sundry citizens of Hancock county, praying an alteration in the road law in said county;

Which was referred to the committee on roads.

By Mr. Clark of H.,

Of citizens of Hamilton county, for the incorporation of a company to construct a turnpike from Lafayette to east line of Indiana;

Which was referred to the committee on corporations.

By Mr. Morgan,

Of Eli Staunton and others, praying the vacation of the town of Savannah;

Which was referred to a select committee of Messrs. Morgan, Barrett, and Handy.

By Mr. Fuller,

Of citizens of Warrick and Spencer counties, on the subject of attaching certain lands to the county of Warrick;

Which was laid on the table.

By Mr. Norvell,

Of citizens of Monroe and Lawrence counties, for the removal of obstructions across the Rockport road;

Which was referred to a select committee of Messrs. Norvell, Burton, and Gorman.

REPORTS FROM STANDING COMMITTEES.

Mr. Handy, from the committee on elections, made the following report:

Mr. Speaker:

The committee on elections, to which was referred the petition of sundry citizens of Jefferson county, praying the passage of a law effectually preventing the buying, selling, distributing, or measuring spirituous liquors within one mile of any place of receiving votes, have had that matter under consideration, and have directed me to report that more is to be effected by the force of moral example than by legislative enactments, and ask to be discharged from the further consideration of that subject;

Which report was concurred in.

Mr. Gilbert, from a select committee, made the following report:

Mr. Speaker:

The committee, to whom was referred the petition of Samuel Little and others, of Fayette county, praying for the passage of a law confining all voters to their respective townships in all General elections, have had the same under consideration, and have directed me to report that it is inexpedient to legislate on that subject, and ask to be discharged from the further consideration of the subject;

Which was concurred in by the House and the committee discharged.

Mr. Bowles, chairman of the committee of ways and means, made the following report:

HOUSE OF REPRESENTATIVES,
Thursday, January 11th, 1844.

Mr. Speaker:

The Committee of Ways and Means, whose duty it is made by the laws and usages of the State, to examine the state of the finances, both present and prospective, and also the offices of Auditor of Public Accounts and Treasurer of State, have, so far as time and circumstances would permit, performed that duty, and directed me to make the following

REPORT:

The condition of the Treasury does not enable the committee to present any thing to the country of a flattering character, in a financial point of view, either present or prospective for the ensuing five years—there being now no means in the Treasury to meet the demands on that department for the current year, nor any means within the control of the State, whereby to obtain the funds necessary to defray the expenses of the government for the year 1844.

Various schemes and projects have been suggested by and to the committee; among which was a loan from the Bank. This proposition, as one of finance, is obnoxious in two particulars: First, because it is impolitic and in direct violation of democratic principles, to place the government in a situation to be entirely dependant upon the Bank for a sustenance. Second, because the State has no means by which to enable her to pay the interest or principal of such loan within any reasonable time that the Bank might be able to extend such an accommodation. It is believed by the committee that, under existing circumstances, a loan from the Bank, if politic, is utterly impracticable. A part of the committee have favored a re-issue of Treasury Notes, and a bill has been reported for that purpose.

The re-issue of Treasury Notes is regarded by the committee as being the least of the evils that present themselves. First, because the amount required to be issued is comparatively small, and would

produce but a slight difference in the market value of the outstanding notes. Second, because the issue of seventy-five thousand dollars of Treasury Notes would only serve to increase the domestic circulation and afford greater facilities to the tax-payers. Whether their value is high or low is not a matter of importance with the mass of the people; they will be received in payment for the products of the country, and gradually find their way back into the Treasury.

In a comparative point of view, the Treasury Note scheme has advantages over that of a loan from the Bank in this, that the former will increase the price of produce, and thereby lessen the burthens of taxation, while the latter will reduce the price of produce, and consequently increase the burthen of taxation, from the fact that good funds will soon pass without the limits of the State for articles of luxury and show, which will, eventually, defeat all the relief principles that have heretofore been adopted. It will make the burthen of the tax-payers more oppressive, precisely in the same ratio that the amount of circulation decreases. Upon the whole, it is deemed the most advantageous to adopt the plan of issuing Treasury Notes to meet the demands on the Treasury for the years 1844–5–6, as set forth in the accompanying Exhibit marked A, which shows a plan of increase and final redemption of the outstanding Treasury Notes and Bank Scrip in the year 1848, including the issue of 75,000 dollars for 1844; 50,000 dollars for 1845; and 25,000 dollars for 1846.

EXHIBIT A.

A calculation for paying off the Domestic Debt.

Suppose that the outstanding Treasury Notes bearing 6 per cent. interest, amount on the 30th November, 1843, to, - - - - - -		$650,000 00
The interest to 30th November, 1844, Scrip will be,		39,000 00
Suppose that the outstanding Bank Scrip amounts to,		600,000 00
The interest (5 per cent.) to 30th Nov., 1844, will be,		30,000 00
Suppose that the Legislature, at this session, authorize an issue of Treasury Notes to meet the current expenses of this year, amounting to, - -		75,000 00
The interest up to 30th November, 1844, at 6 per cent., will be, - - - - -		4,500 00
		$1,398,500 00
To reduce this amount, apply the estimated revenue of 1844, - -	$220,000 00	
Add estimated annual increase of revenue by a repeal of the law exempting $125 of property from taxation, estimated at a gross valuation of		

$15,000,000, which, at 20 cents on the $100, will produce, - -	30,000 00	
Add to this an estimated amount to be absorbed by the Sinking Fund, -	80,000 00	
		330,000 00
		$1,068,500 00
The aggregate interest from 30th November, 1844, to the 30th November, 1845, on this sum, will be,		59,392 50
Suppose the Legislature authorize another issue of Treasury Notes, to meet the current expenses of 1845, of, - - - - - -		50,000 00
The interest on this loan for one year will be, -		3,000 00
Amount outstanding 30th November, 1845, -		$1,180,892 50
This amount to be reduced by the same means as specified for 1844, - - - - -		330,000 00
		$850,892 50
The aggregate amount of interest on this sum up to 30th November, 1846, will be, - - -		45,674 06
Suppose the Legislature authorize another issue of Treasury Notes to meet the current expenses of 1846, of, - - - - - -		25,000 00
The interest at 6 per cent. on this issue, one year, will be, - - - - - -		1,500 00
		$923,066 56
This amount to be reduced by the same means as specified for 1844, - - - - -		330,000 00
		$593,066 56
The aggregate amount of interest on this sum up to the 30th November, 1847, will be, - -		33,618 63
Amount outstanding 30th November, 1847, -		$626,685 19
This amount to be reduced by the same neans as specified for 1844, - - - - -		330,000 00
		$296,685 19
The aggregate amount of interest on this sum up to 30th November, 1848, will be, - - -		17,317 27
		$314,002 46
The same application of means of 1844, to reduce this amount, will extinguish it and leave an excess in the treasury of, - - - -		15,997 54

The committee have found the office of Auditor of Public Accounts in good order, and the books and papers therewith connected in proper condition for examination. They take this occasion to remark, that every facility and accommodation was afforded them by that officer during the progress of their examination.

On examining and comparing the books and vouchers of the Auditor, it is found that the Treasury is chargeable, as a balance, on the 1st day of January, 1844, with the sum of $878,176 78, provided all the audited warrants drawn upon it shall have been paid up to that time,—the particulars of which will be more fully seen by reference to the schedule B, herewith submitted, which shows the receipts and expenditures from the 1st day of January, 1843, to the 1st day of January, 1844.

SCHEDULE B.

Statement of Receipts and Expenditures at the State Treasury from 1st January, 1843, to 1st January, 1844.

RECEIPTS.

There was remaining in the Treasury on the 1st day of January, 1843, if all audited warrants were paid, - $651,485 68

There has been paid at the Treasury, up to the 1st January, 1844, as follows:

1.	For arrears of taxes of 1837, - - -	$26 27
2.	" " 1839, - - -	54 81
3.	" " 1840, - - -	269 28
4.	" " 1841, - - -	12,581 99
5.	For revenue of 1842, - - - -	216,253 76
6.	" 1843, - - - -	1,183 41
The amount paid by purchasers of lots in Indianapolis,		562 50
The amount paid by administrators of estates without known heirs, - - - - -		620 32
The amount paid of incidental receipts, - -		43 37
The amount of Treasury loans refunded, - -		203 69
The amount of interest paid on Treasury loans, -		382 90
The amount of common school fund derived from Bank dividends, - - - - - -		9,488 91
The amount collected and paid as delinquent taxes of 1841, - - - - - -		15,303 74
The amount received on account of State Library, -		5 00
The amount collected and paid as delinquent taxes of 1842, - - - - - -		1,117 07
The amount of proceeds of sales of public lands, -		3,400 47
The amount of interest on loans of Indianapolis fund,		50 00

The amount refunded by borrowers of University fund,	6,572 39
The amount paid by borrowers of University fund as interest on loans,	4,118 72
The amount of damages on sales of lands mortgaged to University fund,	169 30
The costs of advertising sales of land mortgaged to the University fund,	35 00
The amount of sales of lands mortgaged to University fund,	3,127 56
Paid by commissioners of University fund of Gibson and Monroe townships,	1,465 14
Refunded by borrowers of saline fund,	1,440 90
Paid by borrowers of saline fund as interest on loans,	2,338 53
Paid by commissioner of saline lands,	1,058 17
Of forfeited saline lands mortgaged to the saline fund sold on a credit,	1,421 07
Of costs of advertising sales of lands mortgaged to saline fund,	8 75
Received on account of internal improvements,	134,731 70
Of tolls and water rents of W. & E. canal east of Tippecanoe river,	9,949 86
Of Bank tax fund,	2,120 00
Of sales of Bank stock derived from 4th instalment of the surplus revenue,	437,450 00
Of tolls on New Albany and Vincennes road,	3,820 00
Of sales of Wabash and Erie canal lands west of Tippecanoe,	77,943 66
Of tolls on White Water canal	5 00
Of water rents on northern division of Central Canal,	56 75
Of Wabash and Erie canal scrip east of Tippecanoe river,	25,000 00
Total receipts,	$1,625,865 67

EXPENDITURES.

By warrants drawn on the Treasury, and audited from the 1st January, 1843, to 1st January, 1844, for the following items of expenditure:

For militia fines distributed,	$28 00
Salaries of executive officers,	5,711 08
Electors, &c. of Presidential election,	3 00
Estates without known heirs,	15 00
Supreme and President Judges of circuit courts,	19,718 21
Adjutant and Quarter Master Generals,	275 00
Moneys refunded,	28 12
Salaries of Prosecuting Attorneys,	1,797 29
Public printing and distributing the laws,	5,194 58

For Probate judges,	4,818	00
Revenue of 1838 refunded to collectors,	8	83
Old penitentiary,	1,275	37
Specific appropriations,	4,779	99
Seat of government,	23	00
State Library,	352	68
Expenses of State University,	291	16
Expenses of saline fund,	116	35
Expenses and repairs of State house,	600	10
Wolf scalp certificates,	6	00
Revenue of 1839 refunded to collectors,	5	82
Expenses of Treasury Notes,	90	00
Treasury Notes redeemed and cancelled,	398,565	00
Interest on Treas'y Notes redeemed and cancelled,	28,910	33
Five per cent. Bank scrip redeemed and cancelled,	46,350	00
Interest on five per cent. Bank scrip redeemed and cancelled,	315	76
Wabash and Erie canal scrip east of Tippecanoe redeemed and cancelled,	64,871	79
Interest on Wabash and Erie canal scrip east of Tippecanoe redeemed and cancelled,	4,746	97
Wabash and Erie canal scrip west of Tippecanoe redeemed and cancelled,	29,255	00
Expenses of Treasury fund,	25	62
Expenses of congressional township fund,	1	50
Expenses of Indianapolis fund,	6	00
Revenue of 1840 refunded,	167	12
Stationary for State,	14,141	71
Revenue of 1841 refunded,	345	75
Expenses of Governor's house,	475	89
Delinquent taxes of 1841 refunded,	125	73
Legislature of 1843,	39,890	28
New penitentiary,	11,077	50
Salaries of Professors in State University,	8,687	00
Revenue of 1842 refunded,	422	60
Delinquent taxes of 1842 refunded,	9	56
Incidental expenses of Madison and Indianapolis Railroad,	150	00
Incidental expenses of New Albany and Vincennes Road,	247	12
Expenses of deaf and dumb,	200	00
Expenses of surplus revenue fund,	23	38
Expenses of Bank tax fund,	37	78
Loans of State University fund,	8,635	89
Lands mortgaged to University fund, and not sold for want of bidders,	1,519	79
Damages on sale of lands mortgaged to the State University fund,	46	80
Loans of saline lands,	2,021	07

Damages on sales of saline lands mortgaged,	57 50
Contingent fund,	1,985 07
Repairs of New Albany and Vincennes road,	3,701 81
Incidental expenses of W. & E. canal west of Tippecanoe,	5,045 01
Incidental expenses of Eel River Cross-Cut canal,	101 50
Incidental expenses of northern division of Central canal,	1 25
Incidental expenses of Lafayette and Indianapolis road,	1 20
Constructing Wabash and Erie canal west of Tippecanoe,	30,369 03
Contingencies applicable to the whole system of internal improvements,	16 00
Total of expenditures,	$747,693 89

Balance in the Treasury on the 1st day of January, 1844, provided all audited warrants are paid, $878,171 78

The amount estimated for the expenses of the current year, have been stated by the Auditor of Public Accounts at $95,200 00. The committee think that on account of the reduction of certain fees and salaries made at the present session, not contemplated by the Auditor when he made his estimate, and in other items the public expenditure for this year may be brought to about seventy-six thousand one hundred dollars, as follows:

For Governor's salary,	$1,500 00
For contingent expenses of the Governor,	1,000 00
For salary of Treasurer of State,	1,000 00
For salary of Auditor of Public Accounts,	1,000 00
For salary of Secretary of State,	800 00
For Secretary of State for enrolling bills,	200 00
For salaries of Judges of Supreme court,	4,500 00
For salaries of Judges of Circuit courts,	11,400 00
For salaries of Prosecuting Attorneys,	1,800 00
For pay of Probate Judges,	3,000 00
For salary of Adjutant General,	100 00
For salary of Quarter master General,	100 00
For the further progress of the works on the new penitentiary, in the discretion of the Governor,	5,000 00
For the State Library,	300 00
For the salary of the State Librarian,	200 00
For transporting convicts to the penitentiary,	1,200 00
For public printing and distribution of the laws,	8,000 00
For stationary for the General Assembly and public officers,	4,500 00
For pay of the General Assembly,	25,000 00

For specific appropriations, - - - -	5,500 00
Total, - - - - -	$75,100 00

The committee in the prosecution of their duties by an examination of the Treasurer's office, on comparing the books and vouchers in that department, find the same to comport so nearly with the charges of the Auditor against it, as to produce in their minds the pleasurable satisfaction that the duties of that office have been faithfully performed by the present incumbent.

By reference to the schedule marked B, it will be seen that the amount of cash in the treasury on 1st Jan. 1843, provided all audited accounts up to that time were paid, as appears by the report of the committee of ways and means, of the last session of the General Assembly was - - - - - - $651,485 68

That the receipts from every source into the treasury from Jan. 1st, 1843, to Jan. 1st, 1844, amount to	974,379 99
Making, - - - -	$1,625,865 67
That there has been audited as per same schedule, from Jan. 1st, 1843, to Jan. 1st, 1844, - -	747,693 89
Leaving in the treasury, provided all audited warrants had been paid, - - - - -	$878,171 78
To this balance should be added for warrants drawn by the Auditor, but unpaid at the Treasury, as appears by the report of the Auditor, page 6, for the Treasury proper, - - - - -	201 81
Also, warrants for the construction of the Madison and Indianapolis railroad, outstanding at the same period, - - - - - - -	94,347 96
Also, for warrants Nos. 6601, 6624, 6644, 6654, 6665, 6667, 6668, and 6669, audited between Nov. 1st 1843 and Jan. 1st 1844, - - - - -	402 80
Making,	$973,124 35
From this should be deducted warrant No. 6332, outstanding Nov. 1st 1843, but redeemed before Jan. 1st, 1844, - - - - - -	11 95
Making the true amount in the Treasury on the 1st Jan., 1844, to be	$973,112 40

Of the foregoing balance in the Treasury on the 1st of Jan. 1844, the committee have counted, cancelled and defaced by punching two round holes in each bill, Treasury Notes, Scrip, and State Bonds, as follows, viz:

Of 6 per cent. Treasury Notes including interest on the same,	$228,883 00
Of Wabash and Erie canal scrip east of Tippecanoe, including interest on the same,	47,905 58
Of Wabash and Erie canal scrip west of Tippecanoe,	135,275 00
Of 5 per cent. Bank Scrip, including interest,	95,813 52
Of State Bonds on account of the 4th instalment of surplus revenue,	264,608 08
Of State Bonds received from the Lawrenceburgh and Indianapolis railroad,	2,275 00
Making,	$774,760 18

From the foregoing statement of balance in the Treasury of	$973,112 40
Taking the above amount of notes, bonds and scrip defaced by the committee,	774,760 18
And there should be in the Treasury on the 1st Jan. 1844,	$198,352 22

The committee in making their estimates for the year 1844, have had reference in some degree to the reduction of fees and salaries, under the provisions of an act of the present General Assembly, and also, to the anticipated short term of the present session, by which a considerable amount of expense will be saved. In view of all the facts entitled to consideration, connected with the idea of an economical retrenchment of public expenses corresponding with the spirit of the times, the committee have not deemed it proper to change the rate of taxation from that of the past year, except that they have thought it expedient to repeal the law of last session which exempts $125 of property from taxation in all cases. They have therefore reported a bill fixing the state tax at 20 cents on each one hundred dollars valuation of property, and a poll tax of 50 cents, setting apart 5 cents of that rate, together with the poll tax, for the ordinary expenses of the government, and applying the remaining 15 cents to the redemption of the domestic debt, consisting of outstanding Treasury notes and bank scrip.

The foreign and domestic debt of the state amounts to the ernormous sum of $17,174,150 00, as may be seen by reference to the exhibit maked C, herewith presented, predicated upon the report of the Auditor of Public Accounts.

For this sum no provision is made nor can be made under the existing condition of the finances of this State; except $2,412,000, the semi-annual interest of which is paid through the bank, being the amount for which State Bonds were sold to create capital stock for

that institution. The $1,250,000, of outstanding Treasury Notes and Bank Scrip will, under the present policy, be gradually taken up by the sinking fund and by taxation.

EXHIBIT C.

The following is an estimate of outstanding bonds, based upon the report of the Auditor of Public Accounts:

Total amount of bonds outstanding on 1st Nov. 1843,	$14,482,000 00
From this amount is to be deducted 262 bonds issued to bank for advance of the fourth instalment of United States' surplus revenue, which the committee have counted and cancelled, - - -	262,000 00
	$14,120,000 00
From this amount should be also deducted the amount of 45 sterling bonds, issued on account of the Wabash and Erie canal, received by the State Agent and cancelled by him, and left in the Treasurer's office and examined by the committee. These bonds were received of Messrs. Cohens in accordance with the provisions of a joint resolution of the last General Assembly, - - - -	45,000 00
	$14,075,000 00
This account of outstanding bonds includes the bonds issued for the capital of the State Bank, and for which provision is made by law for the payment of the interest semi-annually; and they amount to	2,412,000 00
But there has been redeemed of these bonds and cancelled, - - - - - -	20,000 00
Leaving this balance,	$2,392,000 00

Interest due and unpaid on outstanding state bonds, and for which there is no provision by law to pay:

The amount of interest on $8,451,000 00 internal improvement bonds from Jan. 1st, 1841, to Jan. 1st, 1844, three years at five per cent., is - - - - -	$1,269,650 00
The amount of interest on $1,720,000 Wabash and Erie canal bonds, same period, $100,000 at 6 per cent., and $1,620,000 at 5 per cent., - - -	261,000 00
The amount of interest on $982,000, state bonds, (for which the bank does not pay interest,) during same period, at 5 per cent., - - - -	147,000 00

The amount of 7 per cent. bonds issued for interest on state bonds, with interest from July 1st, 1841, to January 1st, 1844, two and one half years, at 7 per cent.,		171,500 00
Total interest due on bonds 1st January, 1844,		$1,849,150 00
The aggregate amount of principal and interest due on state bonds outstanding on the 1st Jan'y, 1844, is thus shown to be,		$15,924,150 00

The following exhibits the amount of domestic debt on 30th Nov., 1843:

Outstanding Treasury Notes, bearing interest at six per cent.,	$650,000 00	
Outstanding Bank Scrip, bearing interest at five per cent., issued to the Bank on account of its adv'es for internal improvements,	600,000 00	
	$1,250,000 00	
Making the aggregate of foreign and domestic debt amount to,		$17,174,150 00

In conclusion, the committee beg to be indulged in the remark, that after much time and labor spent in counting and estimating the amount and kind of funds in the Treasury, they feel it a duty they owe to the country, though painful may be the task, to declare the fact, that notwithstanding the Treasury tells *nominally* to the amount of hundreds of thousands of dollars, yet scarce a dollar is to be found there to meet the daily demands upon that department—the large balance which appears to be there on the first of the present month, consisting of the various descriptions of Treasury Notes, Bank Scrip, and Canal Scrip, heretofore authorized by law. No alternative seems to be left to this and two or three subsequent legislatures, but a resort to the much abused credit of the State.

Respectfully submitted,

W. A. BOWLES,
S. P. MOONEY,
W. A. GORMAN,
JOEL REED,
PINKNEY JAMES.

Mr. Reed excepts to that part of the report which says that a loan from the Bank is impolitic, and that recommends the issuing of Treasury Notes.

Mr. James makes the exception, also, as above.

The undersigned dissents from all that part of the report of the Committee of Ways and Means which recommends the issue of Treasury Notes, to meet the current expenses of the present year, deeming the issue of such Treasury Notes to constitute a circulating medium, *as money*, to be unconstitutional and inexpedient. The undersigned believes that the issue of such Treasury Notes will have a tendency to depreciate the notes of this kind now in circulation.

That it will thereby lessen the value and availability of the School and other Trust Funds of the State.

That it will drive out of circulation an equivalent amount of specie funds.

That it will lessen the circulation of gold and silver.

That it will tend to further sink the credit and character of the state.

WILLIS A. GORMAN.

Which,

On motion,

Was laid on the table, and 500 copies ordered to be printed for the use of this House.

Mr. Mooney, from the same committee, made the following report:

MR. SPEAKER:

The committee of ways and means, to whom was referred the House bill No. 365, to provide for repairing public buildings and other purposes, have directed me to report the same back to the House and inform it that the object thereof has been complied with by inserting its provisions in the specific appropriation bill, which the committee will hereafter submit to the House, and ask to be discharged from its further consideration.

Which report was concurred in and the bill therein named laid on on the table.

Mr. Parker, chairman of the judiciary committee, made the following report:

MR. SPEAKER:

The judiciary committee, to which was referred a resolution of the House requiring the committee to enquire into the expediency of providing for filling the office of school commissioner, when vacant, now report, that reference being had to section 160, page 119, of the Revised Statutes of 1843, it will be seen that the matter is fully provided for.

Which report was concurred in by the House,

Mr. Cuppy, chairman of the committee on claims, made the following report:

Mr. Speaker:

The committee on claims, to which was referred the petition of Jason Ham, praying relief as treasurer of Wayne county, have had that subject under consideration, and directed me to report the following bill and recommend its passage:

No. 367. A bill for the relief of Jason Ham of Wayne county;

Which was read three several times,

The rule being suspended therefor,

And passed.

Ordered, That the same be reported to the Senate and their concurrence therein requested.

Mr. Chapman, chairman of the committee on roads, made the following report:

Mr. Speaker:

The committee on roads, to whom was referred sundry petitions from the various counties in the State, on the subject of vacating certain State roads therein named, and sundry remonstrances on the same subject, have had the various and different matter therein contained under consideration, and have directed me to report the following bill and respectfully recommend its passage:

No. 368. A bill to locate certain state roads therein named, and for other purposes;

Which was read a first and second times,

The rule being suspended therefor,

And on motion,

Was laid on the table.

Mr. Morgan, from the same committee, made the following report:

Mr. Speaker:

The committee on roads to which was referred a bill of the House, entitled

No. 264. A bill to amend the 104th section of the fourth article of the Revised Statutes of 1843, in relation to the road tax;

Have had that subject under consideration, and have directed me to report that said bill contemplates the repeal of so much of the law as requires the road tax to be placed upon the collectors' duplicate and so much as requires supervisors to give to persons working out their road tax, a receipt therefor. This a majority of the committee conceives to be highly inexpedient, for the reason that it removes all those salutary checks that had been found absolutely necessary to ensure a faithful and efficient discharge of duty by supervisors.

Under the old law, (within the knowledge of some of the committee,) supervisors neglected to compel the hands to work out their road tax, and would hand them over to their successors as delinquent and they, perhaps, again to theirs; but under the present law, every man has a strong incentive to work out his tax, because, if he does not, he is certain to have to pay in cash, and cannot pay his state and county tax without his road tax receipt from the supervisor, or the money in lieu of it. And, under this system, supervisors cannot be derelict in the discharge of their duties; because every man owing road tax will call on his supervisor to give him a chance to discharge it in labor, if his supervisor is backward in calling on him. To avoid the payment of road tax in money, stimulates the hands to a discharge of their duty, and public opinion compels the supervisor to do his.

With these views, the majority of the committee think the bill ought not to pass, and therefore recommend its indefinite postponement, and ask to be discharged from the further consideration of the subject.

Which report was concurred in, and bill No. 264, therein named, indefiinitely postponed.

Nr. Morgan, from the same committee, made the following report:

Mr. Speaker:

The committee on roads to whom was referred the petition of sundry citizens of Whitley county, praying the vacation of a certain road therein named; also, the remonstrance of sundry other citizens, remonstrating against the said vacation, have had that subject under consideration, and have directed me to report that the 36th section of the 16th chapter of the Revised Laws provides the manner that such county disputes should be settled, and we beg to be discharged from further consideration of said subject.

Which report was concurred in by the House.

Mr. Chapman, chairman of the committee on roads, made the following report:

Mr. Speaker:

The committee on roads to whom was referred the petition of sundry citizens of Whitley county, praying that a law may be passed so that each road district shall elect supervisors for the same, have had the same under consideration, and have directed me to report that it is inexpedient to legislate further on said subject.

Which report was concurred in.

Mr. Chapman also made the following report:

Mr. Speaker:

The committee on roads to whom was referred bill
No. 99. A bill authorizing the location and reopening of the Indianapolis and Fort Wayne state road;
Have had the same under consideration and have directed me to report a section, embracing the subject matter, in the general road bill, which will be submitted, and recommend its passage.

On motion,

Bill No. 99, in the above report mentioned, was laid on the table.

Mr. Norvell, chairman of the committee on education, made the following report:

Mr. Speaker:

The committee on education to which was referred the petition and certificates of William DeFord and another, praying a divorce, have had the same under consideration, and, from the best evidence before them, have come to the following conclusion: that, from the infirmities of the petitioner, that in justice to his consort and to himself, the bonds of matrimony should be dissolved; therefore, report the following bill for the consideration of the house, and wish to be discharged from further action on the same:
No. 369. A bill for the relief of William DeFord;
Which was read a first time and,

On motion of Mr. Barbour,

Was rejected.

Mr. Blakemore, from the committee on claims, made the following report:

Mr. Speaker:

The committee on claims to whom was referred the memorial of Benjamin H. Scott, have had that matter under consideration, and have directed me to report the following bill and recommend its passage:
No. 370. A bill for the relief of Benjamin H. Scott;
Which was read three several times, (the rule being suspended therefor,) and passed.
Ordered, That the clerk report the same to the Senate and ask its concurrence therein.
Mr. Simonson moved to reconsider the vote by which
No. 246. A bill to amend the road law,
Was indefinitely postponed.
Which motion prevailed.
The bill was then recommitted to a select committee of Messrs. Simonson, Parker, and McRae, with instructions to amend generally.

Mr. Gregory, from the committee on canals, etc., made the following report:

MR. SPEAKER:

The committee on canals and internal improvements, to whom was referred petitions of sundry citizens of Tippecanoe and Carroll counties, praying the erection of a bridge across Deer Creek, above the feeder dam, have made a slight investigation of the same, but for the want of time, deem it inexpedient, at this late day of the session, to take up such important matters: they have therefore directed me to report said petitions back to the House, and recommend them to be laid on the table, and ask to be discharged from the further consideration of the same.

Which report was concurred in.

Mr. Jones of Fountain, from the same committee, made the following report:

MR. SPEAKER:

The committee on canals and internal improvements to whom was referred the petition of William K. Miller and other citizens of Lockport, in the county of Carroll, praying to have certain water power leased at the lower lock in said town, have had that subject under consideration and instructed me to report that for the want of time to put themselves in possession of the facts in relation thereto, it is inexpedient to legislate thereon; and ask to be discharged from the further consideration of that subject.

Which report was concurred in.

Mr. Palmer from the same committee made the following report:

MR. SPEAKER:

The committee on canals and internal improvements to which was referred the petition of G. W. Branham and Co., asking such relief as might be just upon their contract with the State, heretofore made, have directed me to report, that owing to the short time yet remaining of the session, your committee find themselves unable to investigate the matter set up in their petition; they therefore recommend that the same be laid on the table and ask to be discharged.

Which report was concurred in.

Mr. Roberts of Putnam, chairman of the committee on canals, etc., made the following report:

MR. SPEAKER:

The standing committee on canals and internal improvements to which was referred a resolution of the House, on the subject of

transferring the appointment of superintendent of the water power upon the Central Canal to the lessees of such water power, have had that subject under consideration and have directed me to report it inexpedient to transfer the appointment, as your committee has not had that subject before them in time to make a thorough examination of that subject; therefore, as legislative business must close in two or three days more, your committee respectfully ask to be discharged from the further consideration thereof.

Which report was concurred in by the House.

Mr. Ferry, chairman of the committee on corporations, made the following report:

Mr. Speaker:

The committee on corporations to which has been referred bill of the House entitled

No. 230. A bill to incorporate the Michigan Road Company;

Have had the same under consideration and have directed me to report the same back to the House with the following amendments to be added as additional sections to said bill; in which amendments the concurrence of the House is respectfully requested.

The amendments of the committee to No. 230, were concurred in, and the bill considered as engrossed, read a third time, and passed.

Ordered, That the clerk report the same to the Senate, and ask, respectfully, their concurrence therein.

Mr. Ferry, from the same committee, made the following report:

Mr. Speaker:

The committee on corporations to which has been referred bill of of the House entitled

No. 229. A bill to incorporate the Noland's Fork Canal Company;

Have had the same under consideration and have directed me to report the same back to the House with the following amendments, to be added as additional sections thereto; in which amendments the concurrence of the House is respectfully requested.

The question being,

Will the House concur in the report and the amendments therewith reported;

And the ayes and noes were demanded by Messrs. McDonald and Bearss:

Those who voted in the affirmative are,

Messrs Allen of P., Athon, Barbour, Boone, Bowles, Burton, Chapman, Clark of Hamilton, Cowen, Elder, Engle, Ferry, Fuller, Halbert, Handy, Hardin, Helwig, Hostetter, Jones of Franklin, Keimer, Kelly,

Logan of Pike, Logan of Washington, McAlister, McConnell, McDonald, McRea, Mickle, Miller of Crawford, Montgomery, Mooney, Moore, Norvell, O'Neall, Palmer, Robbins, Roberts of Putnam, Saffer, Simonson, Spicknall, Turman, Williams, Wright and Mr. Speaker —44.

Those who voted in the negatine are,

Messrs. Allen of Laporte, Barrett, Bearss, Blakemore, Byers, Coffin, Conner, Cuppy, Dowling, Foley, Ford, Forseman, Garrett, Gilbert, Gregory, Hannah, Harris, Harrison, Hiatt, Hobbs, Hodges, Huddleston, Hurlbut, James, Kerr, Lee of Jefferson, Macy, Miller of Vanderburgh, Morgan, Nutter, Parker, Reed, Roberts of Laporte, Seller, Shelby, Simpson, Sutherland, Tevis, Williamson, and Wolfe —41.

So said report was concurred in, and the accompanying amendments adopted.

The bill as amended was then laid on the table.

Mr. Ferry, chairman of the committee on corporations made the folloming report:

Mr. Speaker:

The committee on corporations to which has been referred bill No. 356, of the House, entitled a "——— to incorporate the Union Mill Company," have had the same under consideration and have directed me to report the same back without amendment and recommend its passage.

No. 356, in the said report mentioned was considered as engrossed;

Read the third time and passed.

Ordered, That the clerk report the same to the Senate and their concurrence be requested.

Mr. Hobbs moved to take from the table bill No. 34. A bill incorporating the Lagrage Phalanx;

Which motion did not prevail.

REPORTS FROM SELECT COMMITTEES.

Mr. Conner, from a select committee, made the following report:

Mr. Speaker:

The select committee to whom was referred a petition to change a state road therein named, have had that matter under consideration, and

have directed me to report the following bill and recommend its passage:

No. 371. A bill changing a certain state road therein named; which was

Read a first and second times;

The rule being suspended therefor,

And ordered to be engrossed for a third reading on to-morrw.

Mr. Conner also made the following report:

Mr. Speaker:

The select committee to which was referred a petition to change the name of a certain town therein named, have had that matter under consideration and have directed me to report the following bill, and recommend its passage:

No. 372. A bill to change the name of Boxleytown, in Hamilton county; which was

Read three several times;

The rule being suspended therefor;

And passed.

Ordered, That the same be reported to the Senate and its concurrence requested.

Mr. Forseman, from a select committee, made the following report:

Mr. Speaker:

The select committee to whom was referred the petition of sundry citizens praying for a change in the state road leading from Independence, in Warren county, to Crawfordsville, in Montgomery county, have had the same under consideration and directed me to report the following bill and recommend its passage, and ask to be discharged from the further consideration of the same:

No. 373. A bill creating a change in a state road, therein named; which was

Read three several times;

The rule being suspended therefor,

And passed.

Ordered, That the same be reported to the Senate and its concurrence requested therein.

Mr. Bowles, from a select committee, made the following report:

Mr. Speaker:

The select committee to whom was referred a bill of the House No. 144, to reduce the tolls on the New Albany and Vincennes road, and for other purposes, have had the same under consideration and directed me to report it back amended as follows, to-wit: strike it from

the enacting clause and insert the bill herewith submitted, and recommend its passage, and ask to be discharged from the further consideration of that subject.

Bill No. 144, and the reported amendments thereto, were laid on the table.

Mr. Dowling, of Vigo, from a select committee, made the following report:

Mr. Speaker:

The select committee to whom was referred bill of the House No. 190, entitled "A bill to equalize the first and seventh judicial circuits," have had the same under consideration with instructions to fix the times of holding the several circuit courts therein, to meet the wishes of the respeetive counties, as near as may be, and beg leave to say that a majority of the committee are of opinion that no change should be made in the time of holding said courts; and it is therefore respectfully recommended that the accompanying bill be laid upon the table.

Which report was concurred in, and bill No. 190, therein named, laid on the table.

Mr. Dowling also made the following report:

Mr. Speaker:

The select committee to which was referred the instructions of the House with bill No. 190, providing for a special term of the Vigo circuit court, have had the same under consideration and have directed me to report the following bill, and recommend its passage:

No. 374. A bill authorizing a special term of the Vigo circuit court; which was

Read three several times;

The rule being suspended therefor;

And passed.

Ordered, That the same be reported to the Senate, and its concurrence therein requested.

Mr. Nees, from a select committee, made the following report:

Mr. Speaker :

The select committee to whom was referred the petition of sundry citizens of the county of Clay, praying the passage of a law declaring a certain county road a state road, have had that subject under consideration and they have directed me to report the following bill and recommend its passage:

No. 375. A bill declaring a certain road a state road, in the county of Clay; which was

Read three several times;

The rule being suspended therefor,

And passed.

Ordered, That the clerk report the same to the Senate, and ask its concurrence therein.

The following message was received from the Senate by Mr. Otto, their Principal Secretary:

Mr. Speaker:

The Senate have passed an engrossed bill thereof:

No. 119. An act to repeal an act to incorporate the trustees of the Hanover Academy; and an act entitled "An act to amend an act to incorporate the trustees of the Hanover Academy," approved Jan. 1, 1834, and for other purposes.

Also, an engrossed bill of the House of Representatives:

No. 6. An act to abolish the office of county auditor, in the county of Warrick, and for other purposes;

With three amendments;

In which engrossed amendments and bill of the Senate, I am instructed to ask respectfully, the concurrnece of this House.

Engrossed bill of the Senate No. 119, in the said message mentioned, was

Read the first and second times;

The rule being suspended therefor; when

Mr. Lee of J., moved to amend the same by striking out from enacting clause and insert a substitute therefor;

Which motion prevailed.

The rule was then further suspended;

The bill read a third time,

And passed.

Ordered, That the clerk report the same to the Senate and ask its concurrence in said amendment.

The amendments of the Senate to No. 6, of the House, were severally concurred in.

Ordered, That the Senate be informed thereof.

Mr. McRea, in behalf of himself and others, made the following protest:

Which was ordered to be spread upon the Journal.

We the undersigned hereby protest against the passage by this House, of bill No. 89, of the Senate, entitled "A bill to incorporate the trustees of the Madison University," with a capital of one hundred thousand dollars, and which was passed by this House on the 4th day of January last; because the said bill requires a vote of two-thirds to repeal

the same; a principle which we the undersigned believe to be unconstitutional, and contrary to justice and sound policy. We the undersigned would have cheerfully voted for said bill had it provided as is usual, that it might be repealed by a majority of both Houses.

F. McRAE,
T. T. WRIGHT,
H. W. CLARK,
J. CHAMBERS,
J. CHAPMAN,
—— KEIMER,
—— ROBERTS of P.,
E. D. LOGAN of W.,
A. L. ROBINSON,
GEO. W. MOORE,
S. L. HALBERT,
JOHN F. O'NEALL,
JEMES D. WILLIAMS,
JOS. ROBBINS,
S. F. CLARK.

Mr. Gorman presented the following protest;

Which was ordered to be spread upon the Journal.

The protest of W. A. Gorman, Leroy Gregory, T. M. Smith, and Jno. F. O'Neall, against the passage of joint resolution No. 13, for the relief of Jesse J. Burton and Joseph Luther, approved Feb. 2, 1843; and an act entitled "An act for the relief of Nathan Brichfield," approved Feb. 11, 1843, and for other purposes.

We protest because Mr. Gorman offered the following amendment to the bill, to-wit: That hereafter Joseph H. Hendricks shall look exclusively to the suspended debt for his pay for his claim of $26,000; and the House applied the gag of the previous question, and cut off said amendment.

Because the whole of the suspended debt is proposed to be used for the benefit of other contractors, and thereby force the necessity of taxing the people directly for the payment of this claim, and as we deem clearly contrary to the original intention of the legislature heretofore.

Because Mr. Hendricks ought to be placed on the same footing of other contractors, because it is unjust and wrong.

Mr. Barbour, on leave, presented the petition of W. D. Crothers and others, in relation to the duties of surveyors; which was

Referred to the committee on the judiciary.

ORDERS OF THE DAY.

No. 315. A bill to locate a state road from Gosport, in Owen county, to Columbus, in Bartholomew county.

No. 317. A joint resolution relative to international and literary exchanges.

No. 310. A bill to change a part of a state road in the counties of Clay and Owen.

Which were each read a second and third times;

The rule being suspended therefor;

And passed.

Ordered, That the same be reported to the Senate and ask its concurrence therein.

No. 314. A bill for the relief of Michael McCall; which was

Read a second time; when

Mr. Moore moved to amend so that to carry said bill into effect, "it shall be at the expense of said McCall;

Then,

On motion,

The bill and amendment were laid on the table.

No. 311. A bill to revive an act to incorporate the Lagro and Manchester turnpike company; which was

Read a second time,

And referred to the committee on corporations.

No. 313. A bill for the benefit of the school fund of Cass county.

No. 271. A bill to require the superintendent on public works to furnish a list of tolls to the Auditor of State; which was

Read the second and third times;

The rule being suspended therefor;

And passed.

Ordered, That the clerk report the same to the Senate and ask its concurrence therein.

No. 274. A bill to transfer the books, papers, &c., of the offices of the commissioner of the Michigan road lands, and agent of the town of Indianapolis, to State Auditor's office; which was

Read a second time,

And ordered to be engrossed for a third reading on to-morrow.

No. 273. A bill to repeal a part of the militia law; which was

Read a second time and laid on the table.

No. 249. A bill extending the provisions of an act therein named to the counties of Randolph, Jay, and Adams; which was

Read a second time, when

Mr. Ford moved to amend by striking out "Randolph" wherever it occurs therein;

Which motion did not prevail.

The bill was then ordered to be engrossed for a third reading on to-morrow.

No. 248. A bill to repeal so much of the Revised Statutes as authorizes the forfeiture of lands to the state for the non-payment of taxes; which was

Read a second time; when

Mr. McDonald moved to lay the same on the table;

And the ayes and noes being demanded by Messrs. Chapman and Blakemore;

Those who voted in the affirmative are,

Messrs. Barrett, Bearss, Boone, Bowles, Burton, Byers, Clark of Hamilton, Clark of Tippecanoe, Coffin, Conner, Cowen, Cuppy, Dowling, Edger, Elder, Engle, Ferry, Foley, Ford, Fuller, Garrett, Gorman, Gregory, Hannah, Harrison, Hiatt, Hodges, Holloway, Hostetter, Hurlbut, James, Jones of Franklin, Keimer, Kelley, Kerr, Lee of Posey, Logan of Pike, Logan of Washington, McClure, McConnell, McDonald, Mickle, Miller of Crawford, Miller of Vanderburgh, Montague, Montgomery, Mooney, Morgan, Ness, Norvell, Nutter, O'Neall, Palmer, Parker, Reed, Rich, Robbins, Roberts of Laporte, Roberts of Putnam, Saffer, Seller, Shelby, Simpson, Spicknall, Tevis, Turman, Verbrike, Williams, Williamson, Wolfe, and Mr. Speaker—71.

Those who voted in the negative are,

Messrs. Allen of Putnam, Athon, Blakemore, Chapman, Gilbert, Handy, Hardin, Harris, Helwig, Lee of Jefferson, Simonson, and Sutherland—12.

So said bill was laid on the table.

No. 170. A bill to change the time of holding probate courts in Vanderburgh county;

Which was read a second and third times,

The rule being suspended therefor,

And passed.

Ordered, That the clerk report the same to the Senate and request its concurrence.

Mr. Bearss, on leave, introduced

No. 376. A bill to legalize the location of a state road in the counties of Wabash and Kosciusko;

Which was read a first and second times,

The rule being suspended therefor,

And ordered to be engrossed for a third reading on to-morrow.

Mr. Robbins, on leave, introduced

No. 377. A bill for the relief of John Hoton, of Marshall county;

Which was read three several times,

The rule being suspended therefor,

And passed.

Ordered, That the clerk report the same to the Senate and ask its concurrence.

Mr. Morgan, from a select committee, on leave, made the following report:

Mr. Speaker:

The select committee, to which was referred the petition of Eli Stanton and others, praying for the vacation of the town of Savannah, have had that subject under consideration, and instructed me to report the following bill and recommend its passage, and ask to be discharged;

No. 378. A bill to vacate the town of Savannah, in the counties of Rush and Shelby;

Which was read three several times,

The rule being suspended therefor,

And passed.

Ordered, That the clerk inform the Senate thereof and request its concurrence.

No. 309. A bill to legalize the proceedings of the probate court and board of commissioners of Miami county, and for other purposes;

No. 347. A bill to authorize the agent of the surplus revenue of Marion county to sell certain real estate;

No. 283. A bill to establish an additional place of holding elections in Jackson township, in the county of Washington;

No. 288. A bill authorizing the election of certain officers in the town of Indianapolis;

No. 320. A bill to amend the 2d article of 42d chapter of the Revised Statutes of 1843;

Which were severally read the second and third times,

The rule being suspended therefor,

And passed.

Ordered, That the clerk inform the Senate thereof and ask its concurrence therein.

No. 287. A bill for the relief of John Cooprider;

Which was read a second time;

When,

On motion of Mr. Moore,

The bill was amended by striking out all after the word "expenses;"

Then,

On motion,

Said bill was laid on the table.

Mr. Miller of C. moved to reconsider the vote taken on laying bill No. 273 on the table;

Which motion prevailed.

The bill was then considered as engrossed, and read a third time and passed.

Mr. Norvell, on leave, introduced

No. 379. A joint resolution for the relief of William Willard;

Which was read three several times,
The rule being suspended therefor,
And passed.

Ordered, That the clerk report the same to the Senate and ask its concurrence therein.

No. 294. A bill to repeal so much of an act entitled "An act to provide for the transfer of the county surplus revenue out of the hands of the several agents and trustees to the county treasurers, so far as the same relates to the county of Switzerland;

Which was read the second time,
And on motion,
Laid on the table.

No. 291. A bill to incorporate the Union Evangelical or Lutheran and German Reformed church in Indianapolis;

No. 286. A bill changing the sessions of the county boards;

No. 295. A bill for the relief of the heirs and legal representatives of James Shoemaker, deceased;

No. 299. A bill changing and relocating certain state roads in Delaware county;

No. 301. A bill supplemental to an act, approved Feb. 10, 1843, relative to water power at Pittsbnrgh;

No. 306. A bill vacating an alley in the city of Fort Wayne;

No. 308. A bill authorizing the county commissioners of the county of Clark to settle with Joseph E. Moore;

No. 303. A bill relative to the assignment of canal land certificates;

Which were severally read the second and third times,
The rule being suspended therefor,
And passed.

Ordered, That the clerk report the same to the Senate and ask their concurrence therein.

No. 300. A bill for the relief of Priscilla Lazenby, and others;

Which was read a second time;
And on motion,
Referred to Messrs. James, Macy, and Spicknall.

No. 298. A bill to repeal a portion of the charter of the city of Richmond, in Wayne county;

No. 275. A joint resolution amendatory of a joint resolution on the subject of counting and cancelling State Bonds that have been received by the Treasurer of State, approved Feb. 9, 1842;

Which were severally read a second time, and ordered to be engrossed for a third reading on to-morrow.

No. 302. A bill for the relief of Alexander Beard;

Which was read a second time;
When Mr. Moore moved to indefinitely postpone the same.
And the ayes and noes being demanded by Messrs. Moore and McDonald:

Those who voted in the affirmative are,

Messrs. Barrett, Boone, Byers, Chapman, Clark of Tippecanoe, Cowen, Edger, Elder, Foley, Gorman, Halbert, Hardin, Harris, Jones of Fountain, Keimer, Kelly, Lee of Posey, Logan of Pike, Logan of Washington, McAlister, McClure, McConnell, McDonald, McRae, Mickle, Miller of Crawford, Montague, Moore, Morgan, Norvell, Nutter, O'Neal, Parker, Rich, Robbins, Saffer, Seller, Simonson, Simpson, Spicknall, Tevis, Verbrike, Williams, Williamson, Wright, and Mr. Speaker.—46.

Those who voted in the negative are,

Messrs. Allen of Laporte, Allen of Putnam, Athon, Barbour, Bearss, Blakemore, Bowles, Burton, Clark of Hamilton, Coffin, Conner, Cuppy, Dowling, Engle, Forseman, Fuller, Garrett, Gilbert, Gregory, Handy, Hannah, Harrison, Helwig, Hiatt, Hobbs, Hodges, Holloway, Hostetter, Huddleston, Hurlbut, James, Jones of Franklin, Kerr, Lee of Jefferson, Macy, Miller of Vanderburgh, Montgomery, Mooney, Nees, Palmer, Reed, Roberts of Laporte, Roberts of Putnam, Shelby, Sutherland, Turman, and Wolfe—47.

So the bill was not indefinitely postponed.

Mr. Moore moved to amend as follows:

"That said Alexander Beard shall pay all expenses incurred by such examination;"

Which was adopted.

Then,

On motion of Mr. Simonson,

The bill as amended was laid on table.

The following message was received from the Senate by Mr. Ritchey, a Senator:

Mr. Speaker:

The Senate has adopted the following resolution:

Resolved, That the Senate will, the House of Representatives concurring therein, proceed to the election of State Librarian, on this day at 2 o'clock, P. M.

In which the concurrence of the House is requested.

Mr. Hobbs moved to reciprocate the resolution in said message mentioned, with the following amendment:

Strike out "this day at 2 o'clock," and insert "Monday next at 10 o'clock;"

Mr. Chapman then moved to lay the message and proposed amendment on the table;

Which motion did not prevail.

The question then recurred on the adoption of the amendment proposed by Mr. Hobbs;

Which was decided in the negative.

Mr. Wright then moved to reciprocate the said resolution with the following amendment:

Strike out "2 o'clock" and insert "7 o'clock;"

Which motion did not prevail.

The question recurring on the reciprocation of the resolution ;

And the ayes and noes being demanded by Messrs. Moore and Gregory:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Barbour, Bearss, Bowles, Burton, Coffin, Cowen, Dowling, Engle, Ferry, Ford, Garrett, Gregory, Halbert, Handy, Hardin, Harris, Harrison, Hiatt, Hobbs, Hodges, Huddleston, Jones of Franklin, Kerr, Lee of Jefferson, Macy, McClure, McDonald, McConnell, Mickle, Miller of Crawford, Miller of Vanderburgh, Montague, Mooney, Nees, Norvell, O'Neal, Reed, Roberts of Laporte, Saffer, Shelby, Spicknall, Sutherland, Tevis, Wolfe, and Wright —46.

Those who voted in the negative are,

Messrs. Allen of Putnam, Athon, Barrett, Blakemore, Boone, Byers, Chapman, Clark of Hamilton, Clark of Tippecanoe, Conner, Cuppy, Edger, Elder, Foley, Forseman, Fuller, Gilbert, Gorman, Hannah, Helwig, Holloway, Hostetter, James, Jones of Fountain, Keimer, Kelly, Lee of Posey, Logan of Pike, Logan of Washington, McAlister, McRae, Montgomery, Moore, Morgan, Nutter, Palmer, Parker, Rich, Robbins, Roberts of Putnam, Seller, Simpson, Simonson, Turman, Verbrike, Williams, Williamson, and Mr. Speaker. —47.

So said resolution was not reciprocated.

Then,

On motion,

The House adjourned until half-past 1 o'clock P. M.

Half-past 1 o'clock P. M.

The House met pursuant to adjournment.

Mr. Ferry, on leave granted, introduced

No. 380. A joint resolution relative to the liquidation of the State debts of Indiana;

Which was read a first and second times,

The rule being suspended therefor,

And referred to the committee on federal relations;

Mr. Moore, on leave granted, introduced

No. 381. A bill defining the duties of justices of the peace in Owen county;

Which was read three several times,

The rule being suspended therefor,

And passed.

Ordered, That the clerk report the same to the Senate and ask their concurrence therein.

Mr. Parker, from the judiciary committee, made the following report:

MR. SPEAKER:

The judiciary committee, to which was referred bill No. 187 of the House, giving further time to the assessor of Montgomery county, have had that matter under consideration, and have directed me to report the same back, and recommend its passage, without amendment.

Bill No. 187. In said report mentioned, was considered as engrossed, and read a third time,

And passed.

Ordered, That the clerk report the same to the Senate and ask their concurrence therein.

Mr. Clark of H., on leave granted, introduced

No. 382. A bill changing a county road into a state road;

Which was read three several times,

The rule being suspended therefor,

And passed.

Ordered, That the clerk report the same to the Senate and ask their concurrence therein.

Mr. Cuppy moved to reconsider the vote on the concurrence in the resolution of the Senate, providing for going into the election of State Librarian;

And the ayes and noes being demanded by Messrs. McDonald and Gregory:

Those who voted in the affirmative are,

Messrs. Barbour, Bearss, Boone, Coffin, Cuppy, Dowling, Engle, Ferry, Gregory, Halbert, Handy, Hardin, Hodges, Huddleston, Hurlbut, Jones of Fountain, Kerr, McClure, McConnell, McDonald, Miller of Crawford, Miller of Vanderburgh, Montague, Nees, O'Neall, Spicknall, Tevis, Turman, and Wolfe—29.

Those who voted in the negative are,

Messrs. Allen of Laporte, Allen of Putnam, Athon, Barrett, Blakemore, Bowles, Burton, Byers, Chapman, Clark of Hamilton, Clark of Tippecanoe, Conner, Cowen, Edger, Elder, Foley, Ford, Fuller, Garrett, Gilbert, Gorman, Hannah, Harris, Harrison, Helwig, Hiatt, Holloway, Hostetter, James, Kelly, Lee of J., Lee of Posey, Logan of Pike, Logan of Washington, Macy, McRae, Montgomery, Mooney, Moore, Morgan, Norvell, Nutter, Palmer, Parker, Reed, Rich, Robbins, Roberts of Laporte, Roberts of Putnam, Saffer, Seller, Simonson, Shelby, Simpson, Sutherland, Verbrike, Williams, Williamson, Wright, and Mr. Speaker.—60.

So said vote was not reconsidered.

The House then resumed the consideration of the

ORDERS OF THE DAY.

No. 323. A joint resolution concerning the laws of this State concerning real property;

No. 322. A bill in relation to lands mortgaged for loans of the college and sinking funds;

No. 332. A bill to locate a state road in the county of Allen;

No. 336. A bill to elect an additional constable in Ladoga, Montgomery county;

No. 360. A bill to amend a certain act therein named;

No. 349. A bill supplemental and amendatory to the 96th and 97th sections of the common school law, providing for weak districts in the late revision;

Which were severally read a second and third times,

The rule being suspended therefor,

And passed.

Ordered, That the clerk report the same to the Senate and ask its concurrence.

No. 350. A bill to prevent seduction;

Which was read a second time;

Mr. McDonald moved to amend by adding the following:

"*Provided*, This act shall not be construed to extend to females;"

Which was not adopted.

The bill was then ordered to be engrossed for a third reading on to-morrow.

No. 359. A bill for the relief of purchasers of congressional school lands;

Was read a second time; when

The bill was amended by excepting from its provisions the counties of Wayne, Lawrence, Rush, and Ripley.

On motion,

Said bill was then laid on the table.

No. 355. A bill to prevent the prosecution of individuals for certain acts therein named;

Was read a second time,

When Mr. Roberts of Putnam moved to amend as follows:

"Strike out all that part of the bill which allows persons to take off timber hereafter, either down or otherwise;

Mr. Williamson moved to lay the bill on the table;

Which motion prevailed.

No. 352. A bill to vacate a part of a state road in Tippecanoe county;

Was read a second and third times and passed.

Ordered, That the clerk report the same to the Senate and ask its concurrence.

No. 333. A bill the better to improve the leading roads in the counties of Allen, DeKalb, Noble, Huntington, and Wells;

Was read a second time;

When,

On motion,

The bill was amended by striking out therefrom the counties of Whitley and Adams;

The bill then was considered as engrossed, and read a third time and passed.

Ordered, That the clerk report the same to the Senate and ask its concurrence.

No. 324. A bill for the relief of the securities of Hart and Tate of Henry county;

Was read a second time; and

On motion,

Laid on the table.

No. 327. A bill for the relief of Henry Ingle;

No. 31. Of the Senate, a joint resolution relative to the State Bank of Indiana;

No. 154. Of the Senate, a bill to change a state road in Daviess county;

Were severally read a second and third times,

The rule being suspended therefor,

And passed.

Ordered, That the clerk report the same to the Senate.

No. 83. Of the Senate, a bill for the relief of Delaware county;

Was read a second time;

When Mr. McDonald moved to strike out from the bill the word "grant;"

And the ayes and noes being demanded by Messrs. McDonald and Barbour:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Athon, Barbour, Blakemore, Boone, Bowles, Burton, Byers, Clark of Tippecanoe, Conner, Cuppy, Edger, Elder, Engle, Ferry, Gorman, Halbert, Handy, Helwig, Hostetter, James, Jones of Franklin, Kelly, Lee of J., Lee of Posey, Logan of Pike, Logan of Washington, Macy, McAlister, McClure, McConnell, McDonald, Mickle, Miller of Crawford, Montgomery, Moore, Morgan, Nees, Norvell, O'Neal, Palmer, Robbins, Roberts of Putnam, Saffer, Simonson, Tevis, Verbrike, Williams, Wolfe, Wright, and Mr. Speaker.—51.

Those who voted in the negative are,

Messrs. Allen of Putnam, Bearss, Chapman, Clark of Hamilton, Coffin, Conner, Dowling, Foley, Ford, Forseman, Fuller, Garrett, Gilbert, Gregory, Hannah, Hardin, Harris, Harrison, Hiatt, Hobbs, Hodges, Holloway, Huddleston, Hurlbut, Jones of Fountain, Kerr, McRae, Miller of Vanderburgh, Montague, Mooney, Nutter, Parker, Rich, Roberts of Laporte, Seller, Shelby, Simpson, Spicknall, Sutherland, Turman, and Williamson,—41.

So said motion prevailed.

Mr. Robbins moved to amend by reducing the fees of the treasurer of Delaware county in proportion to that of auditor;

Which amendment was not adopted.

Said bill was then read a third time and passed.

The rule being suspended therefor.

Ordered, That the clerk report the same to the Senate and ask its concurrence.

No. 91. Of the Senate, a bill providing for the location of a state road in the counties of Noble and Lagrange;

Was read a second and third times,

The rule being suspended therefor,

And passed.

Ordered, That the clerk report the same to the Senate and ask its concurrence.

No. 331. A bill for the relief of O'Bryant McNamer, and for other purposes;

Was read a second time; and

On motion of Mr. Chapman,

Laid on the table.

No. 68. Of the Senate, a bill allowing for foreign and domestic merchandise in the counties of Noble, Lagrange, Steuben and DeKalb, to be vended without license;

Was read a second time; and

Laid on the table.

No. 339. A bill for the relief of the heirs of John Talbott, deceased; and

No. 280. A bill relating to the assessment of canal lands;

Were severally read a second and third times;

The rule being suspended therefor,

And passed.

Ordered, That the clerk report the same to the Senate and ask its concurrence.

No. 307. A bill authorizing the building of a bridge across the Wabash and Erie canal at Huntington;

Was read a second time; and

On motion of Mr. Roberts of P.,

Laid on the table.

No. 304. A bill for the relief of John Smith of Carroll county, and for other other purposes;

Was read a second time and ordered to be engrossed.

No. 346. A bill to authorize the qualified voters of this State to vote for or against a convention for a revision of the Constitution of the State;

Was read a second time; when

Mr. Garrett moved that said bill be laid upon the table;

And the ayes and noes being requested thereon by Messrs. Speaker Robinson, (Mr. Simonson in the chair,) and Chapman:

Those who voted in the affirmative are,

Messrs. Athon, Barrett, Bearss, Blakemore, Boone, Bowles, Byers, Clark of Hamilton, Conner, Cowen, Dowling, Edger, Engle, Ferry, Foley, Ford, Forseman, Fuller, Garrett, Gilbert, Gregory, Hannah, Harris, Harrison, Hiatt, Hobbs, Hodges, Holloway, Hostetter, Huddleston, Hurlbut, Jones of Fountain, Kelly, Kerr, Lee of Jefferson, Logan of Washington, Macy, McDonald, McRae, Miller of Crawford, Miller of Vanderburgh, Montague, Montgomery, Mooney, Norvell, O'Neal, Parker, Read, Rich, Roberts of Laporte, Shelby, Sutherland, Williams, Williamson, Wolfe, and Wright—57.

Those who voted in the negative are,

Messrs. Allen of Putnam, Barbour, Burton, Chapman, Cuppy, Clark of Tippecanoe, Coffin, Elder, Gorman, Handy, Hardin, Helwig, James, Jones of Franklin, Lee of Posey, Logan of Pike, McAlister, McClure, McConnell, Mickle, Moore, Morgan, Nutter, Palmer, Robbins, Roberts of Putnam, Seller, Simonson, Simpson, Spicknall, Tevis, Turman, Verbrike, and Mr. Speaker.—33.

So said bill was laid on the table.

No. 326. A joint resolution to suspend the formation of the coun-

ty of Ohio, and relocation of the county seat of Dearborn county, until said county shall be surveyed;

Was read a second time; when

Mr. Norvell moved that said joint resolution be laid upon the table;

And the ayes and noes being demanded thereon by Messrs. Wright and Norvell:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Athon, Barrett, Bearss, Blakemore, Bowles, Burton, Byers, Cowen, Dowling, Edger, Elder, Engle, Ferry, Ford, Fuller, Garrett, Gorman, Handy, Harris, Harrison, Helwig, Hiatt, Hobbs, Hodges, Hostetter, Huddleston, James, Jones of Franklin, Kelly, Kerr, Lee of Jefferson, Logan of Pike, Macy, McDonald, Mickle, Miller of Vanderburgh, Montgomery, Norvell, Palmer, Parker, Reed, Rich, Roberts of Laporte, Seller, Simpson, Spicknall, Tevis, Turman, and Mr. Speaker.—50.

Those who voted in the negative are,

Messrs. Boone, Chapman, Clark of Tippecanoe, Cuppy, Foley, Forseman, Gilbert, Hannah, Hardin, Holloway, Jones of Fountain, Logan of Washington, McAlister, McClure, McConnell, McRae, Miller of Crawford, Montague, Mooney, Moore, Morgan, Nutter, Robbins, Roberts of Putnam, Shelby, Simonson, Sutherland, Verbrike, Williams, Williamson and Wright—32.

So said joint resolution was laid on the table.

Mr. Ferry, in behalf of himself and others, made the following protest;

Which was ordered to be spread upon the Journal.

The undersigned, members of the General Assembly of the State of Indiana, respectfully ask leave to exercise their constitutional privilege in placing upon the Journal of this House, their protest against the action of a majority thereof in refusing to concur in a resolution of the Senate to go into the election of a State Librarian.

The undersigned are actuated to enter this protest, for the reason that it is their belief, that if this House adjourns at a premature day in this session, leaving any considerable quantity of Legislative business unfinished, and one of the officers, which by law, it should elect, to be appointed by the Governor of the State, it will be productive of many consequences which some members of this House are desi-

rous to produce, and which others may hereafter have reason to appreciate.

JAMES KERR.
W. G. COFFIN.
THO. DOWLING.
A. C. HANDY.
H. H. BARBOUR.
L. P. FERRY.
A. McDONALD.
S. S. MICKLE.
P. E. ENGLE.

The following message was received from the Senate by Mr. Otto, their Principal Secretary:

MR. SPEAKER:

The Senate has passed engrossed bills thereof, of the following titles:

No. 47. An act to establish an asylum for the education of deaf and dumb persons in the State of Indiana,

No. 77. An act to vacate a certain street in the town of Washington;

No. 75. An act to enable the mayor and council of the city of New Albany to appropriate certain labor for one year;

No. 78. An act to locate a state road in Sullivan and Greene counties;

No. 79. An act to legalize the appointment of a school commissioner for the county of Steuben;

No. 82. An act for the improvement of the town of Attica;

In which the concurrence of the House of Representatives is respectfully requested.

Bills numbered 77, 75, 78, and 82, in said message mentioned, were severally

Read a first time and passed to a second reading.

No. 47. In said message mentioned;

Was read a first and second times,

The rule being suspended therefor,

And laid on the table.

No. 75. In said message, was

Read three several times,

The rule being suspended therefor,

And passed.

Ordered, That the Clerk inform the Senate thereof.

The following message was received from the Senate by Mr. Davis, a Senator:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed engrossed bill thereof, No. 163, enti-

tled "An act amendatory to an act," approved Jan. 31, 1843, entitled "An act ro reduce the tolls on the New Albany and Vincennes road," to which the concurrence of the House of Representatives is respectfully requested.

Bill No. 163. In said message;
Was read a first and second times,
The rule being suspended therefor,
And laid on the table.

The following message was received from the Senate by Mr. Doran, their Assistant Secretary:

Mr. Speaker:

I am directed by the Senate to inform the House of Representatives that the Senate has passed engrossed bill of the Senate No. 157, entitled "An act to transfer the books, papers, and vouchers of the late commissioner of Michigan road office to the office of Auditor of State," and the concurrence therein on the part of the House is most respectfully requested.

Bill No. 157. In said message mentioned;
Was read three several times,
The rule being suspended therefor,
And passed.
Ordered, That the clerk inform the Senate thereof.

The following message was received from the Senate by Mr. Doran, their Assistant Secretary:

Mr. Speaker:

I am instructed by the President of the Senate to inform the House that the Senate have passed the following bill, No. 147, a bill fixing the time of holding the courts in the ninth judicial circuit, and to respectfully ask the concurrence of the House therein.

Bill No. 147. In said message;
Was read a first, second, and third times,
The rule being suspended therefor,
And passed.
Ordered, That the clerk inform the Senate thereof.

The following message was received from the Senate by Mr. Otto, their Principal Secretary:

Mr. Speaker:

The Senate have disagreed to the amendments of the House of Representatives, to an engrossed joint resolution of the Senate of the following title:

No. 13. A joint resolution explanatory of an act entitled "An act for the relief of Jesse J. Burton and Joseph Luther," approved Feb. 2, 1843, and an act entitled "An act for the relief of Nathan Burchfield," approved Feb. 11, 1843, and for other purposes.

The Senate have passed engrossed bills thereof of the following titles:

In which they ask respectfully the concurrence of this House.

No. 88. An act to provide for the appointment of county auditor and school commissioner for the county of Perry;

No. 151. An act for the location of a state road in the counties of Steuben and DeKalb.

The Senate have passed an engrossed bill of the House of Representatives, without amendment:

No. 201. An act to incorporate the Parke county manufacturing company.

Mr. Gorman moved that the House recede from its amendments to joint resolution No. 13, mentioned in said message;

And the ayes and noes being demanded by Messrs. Barbour and Gorman:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Bowles, Coffin, Elder, Engle, Ferry, Forseman, Gilbert, Gorman, Gregory, Handy, Hannah, Hardin, Harrison, Helwig, Hurlbut, Kerr, Lee of Jefferson, Lee of Posey, Logan of Pike, Macy, McClure, McDonald, Mickle, Miller of Vanderburgh, Montague, Mooney, Norvell, Nutter, O'Neal, Palmer, Reed, Roberts of Laporte, Seller, Shelby, Simpson, Tevis, Turman, Williamson, Wolfe, and Wright.—41.

Those who voted in the negative are,

Messrs. Allen of Putnam, Barbour, Barrett, Bearss, Blakemore, Boone, Burton, Chapman, Clark of Hamilton, Clark of Tippecanoe, Cowen, Cuppy, Edger, Foley, Ford, Fuller, Harris, Hiatt, Hobbs, Hodges, Holloway, Hostetter, Huddleston, Jones of Fountain, Kelly, Logan of Washington, McAlister, McConnell, McRae, Montgomery, Moore, Morgan, Nees, Parker, Rich, Robbins, Roberts of Putnam, Simonson, Spicknall, Sutherland, Verbrike, Williams, and Mr. Speaker.—42.

So said motion did not prevail.

Ordered, That the clerk report the same to the Senate.

No. 151. In said message, was

Read a first time and passed to a second reading on to-morrow.

No. 88. In said message;

Was read three several times,

The rule being suspended therefor,

And passed.

Ordered, That the clerk inform the Senate thereof.

The following message was received from the Senate by Mr. Otto, their Principal Secretary:

MR. SPEAKER:

The Senate have passed engrossed bills thereof of the following titles:

No. 135. An act prescribing the duty and defining the authority of the board of commissioners of the county of Monroe, in certain cases therein named;

No. 136. An act for the relief of George A. Spelker, of Delaware county;

No. 137. An act to revive an act entitled "An act to establish a board of trustees of the county library of the county of Marion, approved Feb. 11th, 1843;

No. 139. An act to allow the assessor of the county of Shelby to qualify;

No. 140. An act supplemental to an act entitled "An act to incorporate the Trustees of Madison University," passed at the present session;

No. 142. An act to legalize the proceedings of the commissioners of the Indianapolis and Lafayette state road;

No. 143. An act to vacate a part of a state road in Noble and Lagrange counties;

No. 120. An act incorporating the the town of South Bend, St. Joseph county, Indiana;

No. 111. An act to relocate the seat of justice of Noble county;

In which I am directed to ask, respectfully, the concurrence of this House.

His Excellency the Governor has notified the Senate that he approved and signed

No. 89. An act to incorporate the Trustees of Madison University;

Which originated in the Senate.

Bill No. 135, in said message,

Was read a first time and, on motion, rejected.

Bills numbered 136, 137, 139, and 140, in said message,

Were read three several times, the rule being suspended therefor, and passed.

Ordered, That the Senate be informed thereof.

Bills numbered 142 and 143,

Were severally read a first time and passed to a second reading on to-morrow.

No. 120, in said message mentioned,

Was read a first and second times, (the rule being suspended therefor,) and referred to the committee on corporations.

No. 111, in said message,

Was read a first and second times, (the rule being suspended therefor,) when

Mr. Hobbs moved to amend said bill as follows:

After the word "county," in the ninth line of the second section, insert "at Augusta or any other place;" also, strike out the names of Harvey Olmstead and Theodore W. Moore, and insert Charles M. Heaton, of St. Joseph county, and Allen Tibbetts of Elkhart county;"

Which amendment was adopted.

Mr. Ferry moved further to amend said bill by adding the following additional sections:

Sec. —. That in case the commissioners appointed under the provisions of this act, shall relocate said county seat at any other place than that in which the same is now located, the board of commissioners of said county shall, upon the application of any person interested, appoint three disinterested freeholders of said county who shall appraise the lasting improvements of all persons residents of said town of Augusta, which shall have been made since the location of the county seat at that place, at such sums as, in their opinion would be required to make like improvements at this time; and shall, in like manner, appraise all the donations made to such county for the relocation of said county seat, and report the appraisement thereof, under oath, to said board of commissioners.

Sec. —. That if the donations made to the county in consideration of the relocation of said county seat, shall amount, by appraisement, to as large a sum as the value of such improvements, made by individuals since the location of said county seat at the place of its present location, then the board of commissioners of said county shall, upon such person or persons proving that such improvements have been made since the said county seat was located at its present place of location, and upon conveying to said county, their interest in the lot or lots whereon such improvements are made, pay to such person or persons, out of the county treasury of said county, the appraised value thereof.

But in case such improvements should, by such appraisement, exceed in value the donations made to said county, then said board of commissioners shall only pay to such person or persons, such a proportion of the value of their respective improvements, as the whole of said donation bears to the whole of said improvements.

Sec. —. And all property conveyed to the county under the provisions of this act, shall be, by the board of commissioners, disposed of in such manner as they may think will best advance the interests of the county; and the avails thereof shall be paid into the county treasury to reimburse the amount so paid out;

Which were not adopted.

The rule was further suspended and the bill read a third time and passed.

Ordered, That the clerk inform the Senate thereof.

On motion,

The House adjourned till half past 6 o'clock, P. M.

Half past 6 o'clock P. M.

The House met.

Mr. Cuppy, on leave, presented the petition of citizens of the county of Kosciusko, praying a certain charter therein named;

Which was, on motion, referred to a select committee of Messrs. Cuppy, Verbrike, and Turman.

Mr. Bearss, on leave, presented the petition of citizens of the town of Wabash, in relation to the Wabash and Erie Canal;

Which was, on motion, referred to a select committee of Messrs. Bearss, Gorman, and Fuller.

Mr. Ferry, chairman of the committee on corporations, made the following report:

MR. SPEAKER:

The committee on corporations to whom was referred bill of the Senate

No. 120. An act incorporating the town of South Bend, St. Joseph county, Indiana;

Have had that subject under consideration, and instructed me to report it back to the House, without amendment, and recommend its passage.

No. 120. in said report mentioned, was read the third time and passed.

Ordered, That the Senate be informed thereof.

Mr. Hostetter, from a select committee, made the following report:

MR. SPEAKER:

The select committee to whom was referred a petition of the couny commissioners and other citizens of the county of Vermillion praying the repeal of a law making it the duty of the county auditor to cause to be published a list of all delinquent lands and town lots in a newspaper, have had the same under consideration, and have directed me to report the following bill and recommend its passage:

No. 383. A bill to repeal an act making it the duty of the county auditor to publish delinquent lands in newspapers in certain counties therein named;

Which was read a first and second times, (the rule being suspended therefor,) when, on motion, the bill was so amended as to extend its provisions to the counties of Green, Marshall, and Fulton.

Then the rule was further suspended, and the bill considered as rngrossed, and read a third time and passed.

Ordered, That the same be reported to the Senate and its concurrence requested.

Mr. Roberts of Putnam moved to take from the table bill

No. 144. A bill to reduce the tolls on the New Albany and Vincennes road, and for other purposes;

Which motion prevailed.

The question recurring on the adoption of the amendment as reported by the committee;

Which was concurred in and the bill read a third time and passed.

Ordered, That the Senate be informed thereof and its concurrence requested.

Mr. Cuppy, from a select committee, made the following report:

Mr. Speaker:

The select committee to whom was referred the petition of Samuel Crosson, Henry Ward, and others, citizens of Kosciusko county relative to a certain mill dam therein named, have had that subject under consideration, and have directed me to report the following bill and recommend its passage:

No. 384. A bill to authorize Samuel Crosson and Henry Ward to keep up a certain mill dam in the county of Kosciusko;

Which was read three several times, (the rules being suspended therefor,) and passed.

Ordered, That the Senate be informed thereof and its concurrence asked.

Mr. Hobbs moved to take from the files

No. 266. A bill to reinstate the records of Noble county;

Which motion prevailed;

The bill was then read the third time and passed.

Ordered, That the Senate be informed thereof and its concurrence be requested.

Mr. Foley, on leave, introduced,

No. 385. A bill providing for opening and repairing roads and highways in Hancock county;

Mr. Wright, on leave, introduced,

No. 386. A bill to repeal in part a certain law therein named;

Which were each read three several times, (the rules being suspended therefor,) and passed.

Ordered, That the same be reported to the Senate and its concurrence be asked.

Mr. Lee of Posey, from a select committee, on leave, made the following report:

Mr. Speaker:

The select committee to whom was referred the petition of Turner Nelson and others, praying for relief, have had that subject under consideration, and have directed me to report the following bill for the relief of the petitioner, and recommend its passage:

No. 387. A bill for the relief of Turner Nelson and others;

Which was read three several times, (the rules being suspended therefor) and passed.

Ordered, That the Senate be informed thereof and its concurrence be requested.

Mr. Lee of Posey, on leave, made the following report from a select committee:

Mr. Speaker:

The committee to whom was referred a petition of sundry citizens of Blairsville, Robinson township, county of Posey, praying that an additional justice of the peace be elected in and for Robinson township, and that said justice shall be a resident citizen of, and hold his office in, the town of Blairsville, have had the same under consideration and have ordered me to report the following bill and recommend its passage:

No. 390. A bill relative to justices of the peace in Posey county:

Which was read three several times, (the rules being suspended therefor,) and passed.

Ordered, That the same be reported to the Senate, and its concurrence therein requested.

Mr. McClure, on leave, introduced,

No. 388. A bill concerning certain indictments in Scott county;

Which was read three several times, (the rules being suspended therefor,) and passed.

Ordered, That the Senate be informed thereof and its concurrence requested.

Mr. Bowles, on leave, introduced,

No. 391. A bill making specific appropriations for the year 1844;

Which was read a first time and passed to a second reading on tomorrow.

Mr. Engle, on leave, introduced,

No. 389. A joint resolution in relation to the Revised Statutes of 1843.

Which was read a first and second times and, on motion, was laid on the table.

On motion of Mr. Handy,

Resolved, That the Reverend Samuel Morrison be permitted to occupy the Hall of this House on Sunday the 14th inst., for the purpose of delivering a lecture on church government, at 11 o'clock.

The following message was received from the Senate by Mr. Doran, its Assistant Secretary:

Mr. Speaker:

The Senate have passed, without amendment, engrossed bills of the House of Representatives of the following titles:

No. 113. An act to amend an act to authorize the commissioners of certain counties therein named, to equalize the appraisement of real estate in said counties;

No. 52. An act concerning marks and brands;

No. 106. An act for the encouragement of domestic manufactures;

No. 289. An act in relation to road tax in the town of Laporte;

No. 117. An act correcting a discrepancy in the estray law;

No. 282. An act regulating the road law in the county of Warrick;

No. 276. An act declaring a misprint in the Revised Statutes of 1843;

No. 297. A joint resolution respecting the state prison;

No. 224. An act for the relief of justices of the peace;

No. 133. An act changing the application of water power at the St. Mary's aqueduct, on the Wabash and Erie Canal;

No. 284. An act to locate a state road on the line between the counties of Lagrange, Steuben, Noble, and DeKalb;

Also—

No. 91. A joint resolution relating to an armory on the western waters;

With three amendments.

No. 54. An act to declare the Mississinewa river a public highway;

With two amendments.

No. 290. An act incorporating the Delphi Water Works Company;

With one amendment.

No. 272. An act vesting the duties of school commissioner in the county treasurer in certain counties;

With one amendment.

No. 37. An act to amend an act entitled "An act providing for the incorporation of towns;

With one amendment;

In which amendments the concurrence of the House is respectfully requested.

I am also directed to inform this House, that the Senate has passed engrossed bills and joint resolutions thereof, to-wit:

No. 60. An act to enable married women to acquire and hold separate property;

No. 104. An act to repeal an act therein named;

No. 150. An act to extend the time of holding the circuit court in the county of Ripley, and to change the time of holding the same in the counties of Jennings, Jefferson, Switzerland, and Dearborn;

No. 94. An act authorizing and directing supervisors of public roads and highways, to make their returns to the boards of commissioners of their respetive counties, at the June term thereof;

No. 125. An act to legalize the assignment of the school commissioner of Marshall county, to certain land by him sold to Matthew Hall;

No. 127. An act to vacate a certain alley in the city of Lafayette;

No. 148. An act extending the benefits of the valuation laws to judgment debtors to the surplus revenue, giving additional time to such persons for the payment of the same;

No. 153. An act to amend the several acts authorizing the seizure of boats and other vessels for debt;

No. 101. An act to amend the 15th chapter of the Revised Statutes and repeal the 83d and 98th sections of the same;

No. 123. An act for the relief of Ann Frankboner, executrix of Robert McCormack, deceased;

No. 118. An act to legalize the proceedings of the board doing county business for the county of Gibson;

No. 115. An act for the relief of Abraham Perkins, of Daviess county;

No. 114. An act to legalize the marriage of Oliver W. Sanger and Catharine, his wife;

No. 108. An act to amend an act entitled "An act providing for the summoning and empannelling of jurors in the counties of Delaware, Grant, Franklin, Floyd, and Union," approved January 23d, 1843;

No. 107. An act to authorize the circuit court of Gibson county to grant a divorce in a certain case therein named;

No. 129. An act to change the mode of selecting petit jurors in the county of Lawrence, and for other purposes;

No. 128. An act to extend the provisions of an act therein named, to Delaware county;

No. 131. An act to incorporate the Lafayette Blues, in Tippecanoe county, Indiana;

No. 100. An act to legalize the election of probate judge in the county of Boone;

No. 99. An act to amend an act entitled "An act to provide for opening and repairing roads and highways in the counties of Gibson and Pike;

No. 51. An act providing for the location of a state road in Randolph and Jay counties;

No. 155. An act to restrict the session of the grand jury to three days at each term of the Hancock circuit court;

No. 146. An act to provide for a special session of the circuit court of the county of Jefferson;

No. 158. A bill to legalize the recording of the delinquent list of lands and town lots in the county of Gibson;

No. 80. An act to abolish the office of county auditor in Union county, and for other purposes;

No. 71. An act to amend an act entitled "An act to organize the militia of Indiana," approved February 10th, 1841, and to revive and amend the law authorizing the formation of companies of independent militia by voluntary enlistment;

No. 106. An act to repeal an act therein named;

No. 133. A joint resolution in relation to the completion of the Wabash and Ohio Canal;

No. 67. An act to establish a state road in Miami county;

No. 93. An act to appropriate the bank tax school fund to the inhabitants of the several counties in this State;

No. 149. An act to revive and amend an act entitled "An act for the relief of settlers on the Wabash and Erie canal land," approved Feb. 24th, 1840;

No. 61. An act to amend an act entitled "An act supplemental to an act subjecting real and personal property to execution, approved Jan. 8th, 1842," and approved Feb. 11th, 1843;

No. 96. An act to authorize the issuing of a patent for a part of a lot of canal land;

No. 103. An act abolishing the fee for issuing patents to purchasers of Wabash and Erie canal lands;

No. 126. An act to vacate the town of Northampton, in the county of Harrison;

In which bills and joint resolutions I am directed to ask, respectfully, the concurrence of this House.

His Excellency the Governor has notified the Senate that he has approved and signed the following acts and joint resolutions:

No. 3. A joint resolution on the subject of improving the navigation of the Mississippi, Ohio, and Wabash rivers;

No. 12. An act to correct the plat of the town of Enochsburgh, in Franklin county;

No. 33. An act for the relief of William P. Andrews of the county of Rush.

Engrossed bill of the Senate, No. 60, in said message mentioned,

Was read a first and second times, the rule being suspended therefor, when

Mr. McDonald moved to refer the same to the committee on the judiciary;

And the ayes and noes being demanded by Messrs. Simonson and Roberts of P.,

Those who voted in the affirmative are,

Messrs. Allen of Putnam, Bearss, Blakemore, Burton, Chapman, Edger, Ferry, Ford, Fuller, Gregory, Harris, Harrison, Helwig, Hostetter, Huddleston, Kerr, McAllister, McClure, McDonald, Miller of Crawford, Montague, Norvell, Nutter, Palmer, Parker, Rich, Robbins, Shelby, Spicknall, Tevis, Williams, and Wright—32.

Those who voted in the negative are;

Messrs. Allen of Laporte, Athon, Barbour, Bowles, Clark of Hamilton, Clark of Tippecanoe, Coffin, Conner, Cuppy, Dowling, Elder, Engle, Foley, Forseman, Garrett, Gilbert, Gorman, Halbert, Handy, Hannah, Hardin, Hiatt, Hobbs, Hodges, Hurlbut, Jones of Franklin, Kelly, Lee of Jefferson, Lee of Posey, Logan of Pike, McConnell, McRae, Mickle, Miller of Vanderburgh, Montgomery, Moore, Morgan, Nees, O'Neal, Reed, Roberts of Laporte, Roberts of Putnam, Seller, Simonson, Simpson, Sutherland, Turman, Verbrike, Williamson, and Mr. Speaker.—50.

So said motion did not prevail.

Mr. Blakemore then moved to amend the bill by striking out the 4th section thereof; when

Mr. Hodges moved to lay the bill and motion of Mr. Blakemore on the table;

And the ayes and noes being demanded by Messrs. Gorman and Roberts of P.

Those who voted in the affirmative are;

Messrs. Allen of Putnam, Bearss, Burton, Clark of Hamilton, Cuppy, Dowling, Edger, Elder, Engle, Ferry, Foley, Ford, Fuller, Garrett, Gregory, Handy, Hannah, Hardin, Harrison, Helwig, Hiatt, Hodges, Hostetter, Huddleston, Jones of Franklin, Kelly, Kerr, Lee of Jefferson, Logan of Pike, McAlister, McClure, McDonald, Miller of Crawford, Miller of Vanderburgh, Montague, Morgan, Nees, Norvell, Nutter, Palmer, Parker, Reed, Robbins, Shelby, Tevis, Verbrike, Williams, and Wright—48.

Those who voted in the negative are;

Messrs. Allen of Laporte, Athon, Barbour, Blakemore, Bowles, Byers, Clark of Tippecanoe, Coffin, Conner, Forseman, Gilbert, Gorman, Halbert, Harris, Hobbs, Hurlbut, Lee of Posey, McConnell, McRae, Mickle, Montgomery, Moore, O'Neall, Rich, Roberts of Laporte, Roberts of Putnam, Seller, Simonson, Simpson, Spicknall, Sutherland, Turman, Williams, and Mr. Speaker—34

So said motion was decided in the affirmative.

Then it being a quarter past nine o'clock, P. M.,

The House

Adjourned till half-past 8 o'clock to-morrow morning.

FRIDAY MORNING, JAN. 12th, 1844.

The House met pursuant to adjournment.

And proceeded to the consideration of the unfinished message at the last adjournment.

Engrossed bills of the Senate, mentioned in said message, numbered 104, 125, 127, 48, 101, 118, 115, 114, 108, 107, 129, 128, 100, 99, 146, 158, 106, 133, 67, 96, 126, 103.

Were read three several times,

The rule being suspended therefor,

And passed.

Ordered, That the Senate be informed thereof.

Bill No. 150, in said message mentioned, was

Read a first and second times,

The rule being suspended therefor; when

Mr. Macy moved to refer to a select committee composed of the delegation from the counties mentioned in said bill;

Which motion did not prevail.

On motion of Mr. Hiatt,

The rule was then further suspended;

And the bill read a third time; when

Mr. Macy moved to committ the bill with the following instructions:

"Amend by having court commence in Franklin county the 1st Mondays in February and August, and in Ripley the 4th Mondays in February and August;"

Which motion did not prevail.

On the question being then put,

Shall the bill pass?

And the ayes and noes were demanded by Messrs. Rich and Hiatt:

Those who voted in the affirmative are,

Messrs Allen of P., Athon, Barrett, Blakemore, Bowles, Burton, Byers, Chapman, Clark of Hamilton, Clark of Tippecanoe, Conner, Cowen, Cuppy, Edger, Elder, Fuller, Gilbert, Gregory, Hannah, Hardin, Harrison, Helwig, Hiatt, Hodges, Holloway, Hostetter, Huddleston, Hurlbut, Jones of Franklin, Keimer, Lee of Posey, Logan of Pike, Logan of Washington, McAlister, McClure, McConnell, McDonald, Miller of Vanderburgh, Montague, Mooney, Moore, Morgan, Nees, Norvell, Nutter, O'Neall, Palmer, Parker, Reed, Robbins, Roberts of Putnam, Seller, Shelby, Simonson, Simpson, Sutherland, Turman, Verbrike, Williamson, and Mr. Speaker—61.

Those who voted in the negatine are,

Messrs. Allen of Laporte, Barbour, Boone, Engle, Hobbs, Jones of Franklin, Lee of Jefferson, Macy, McRea, Mickle, Rich, Spicknall, Tevis, and Wright—13.

So said bill passed.

Ordered, That the clerk inform the Senate.

Engrossed bills of the Senate, numbered 94, 80, and 71;
Were severally read a first and second times,
The rule being suspended therefor,
And laid on the table.

No. 153, in said message mentioned, was
Read a first and second times;
The rule being suspended therefor;
And referred to the committee on the judiciary.

Nos. 123 and 51, in said message mentioned, were
Severally read a first and second times,
The rule being suspended therefor;
And ordered to a third reading on to-morrow.

No. 131, in said message mentioned, was
Read a first and second times,
The rule being suspended therefor, when
Mr. Moore moved to refer to the committee on corporations;
Which motion did not prevail.

Mr. Moore then moved to amend that the legislature reserves to itself the right to alter, repeal, or amend the charter at any time;

Which was adopted.

Then the rule was further suspended, and the bill
Read a third time,
And passed.

Ordered, That the clerk inform the Senate thereof.

No. 155, in said message mentioned, was
Read a first and second times,
The rule being suspended therefor; when
Mr. McAllister moved to amend as follows:

By adding in the proper place, Madison county, with a session of four days, if their business requires it, and any time they may set after four days, at any one session, the fees shall be twenty-five cents per day.

Mr. Chapman moved to refer the said bill to a select committee with the proposed amendment of Mr. McAllister.

Which motion prevailed.

The chair announced the following said committee, Messrs. Chapman, McAllister, Moore, Foley, and Gorman.

No. 93, in said message mentioned, was
Read a first and second time,
The rule being suspended therefor; when

Mr. Williams moved to amend by striking out "children," wherever it occurs, and insert "polls;"

Which was not agreed to.

Mr. Hannah moved to amend as follows: by adding "that the amount shall be obtained and the principal go to increase the school fund of each county, and the interest thereof only distributed for the use of schools."

Which was not adopted.

Mr. Wright moved to amend as follows: "the Auditor and Treasurer shall give bond and security for the faithful performance of their duty and trust committed to their care;"

Which was not adopted.

Mr. Wright moved to amend as follows: "strike out auditor and treasurer wherever the same occurs and insert school commissioner."

Then,

On motion of Mr. Gorman,

The bill and pending amendment were referred to the committee on the judiciary.

No. 149, in said message mentioned, was

Read a first and second times,

The rule being suspended therefor, when

Mr. Handy moved to amend by striking out "six months," and insert "twelve months;"

Which motion did not prevail.

The bill was then ordered to a third reading on to-morrow.

No. 61 in the said message mentioned, was

Read a first and second times,

The rule being suspended therefor, when

Mr. Montague moved to amend as follows: "that the exemption of $125 00 from execution to any defendent or defendents shall extend only to such as have families;"

Which motion prevailed.

On motion of Mr. Roberts of P.,

The bill as amended was laid on the table.

The amendments of the Senate to engrossed bills of the House No. 91, 54, 290, 272, and 37, in the said message mentioned, were severally concurred in by the House.

Ordered, That the clerk inform the Senate thereof.

The speaker presented the petition of George Upp and others, citizens of Carroll county, praying for a state road, accompanied by the notice and affidavit.

Whereupon, in accordance with the above petition,

Mr. Chapman, on leave, introduced,

No. 392. A bill to locate a certain state road therein named, which was

Read three several times;

The rule being suspended therefor,

And passed.

Ordered, That the clerk report the same to the Senate and their concurrence be requested.

No. 147, of the Senate, a bill fixing the times of holding the courts in the ninth circuit, was

Read a first and second times,

The rule being suspended therefor,

And passed.

Ordered, That the clerk inform the Senate.

The following message was received from the Senate by Mr. Otto, its Secretary:

Mr. Speaker :

The Senate has passed engrossed bills and joint resolutions thereof, of the following titles, to-wit:

No. 102. An act to amend the 34th section of chapter seven, of the Revised Statutes.

No. 105. An act giving authority to take acknowledgments or proof of deeds and conveyances, as therein named.

No. 109. An act to incorporate the First Regular Baptist Church of Lafayette.

No. 112. An act to incorporate the Lafayette and White river turnpike company.

No. 122. An act to incorporate the Muncietown and Grant county turnpike company.

No. 124. An act supplemental to the 12th article of the 40th chapter of the Revised Code of 1843.

No. 130. An act to amend an act to provide for the continuance of the construction of all or any of the public works of this state by private companies, and for abolishing the board of internal improvements, and the office of fund commissioner, and chief engineer.

No. 134. An act to incorporate the Lawrenceburgh and Indianapolis turnpike company.

No. 145. An act to amend the 16th chapter of the Revised Law, relating to road tax.

No. 160. An act to amend the 89th section of chapter 6, article 7, of the Revised Statutes of 1843.

No. 161. An act to re-locate a state road in Bartholomew county.

No. 162. An act for the relief of the borrowers of school funds in township No. 8, in Monroe county.

No. 165. An act for the relief of Patrick Justice of Delaware county.

No. 166. An act relating to road labor in the town of Spartansburg, in Randolph county.

No. 167. An act to authorize Stephen Stenbarger to erect a mill dam across the Mississinawa river.

No. 169. An act to incorporate the College Corner and Liberty turnpike company, and the Liberty and Abington turnpike company.

No. 171. An act to change the name of Aaron Dyer Bull, to that of Aaron Dyer.

No. 172. An act to provide for the election of a justice of the peace in the town of Ferdinand, in Dubois county.

No. 173. A joint resolution suspending a certain act therein named.

No. 174. An act to enable forwarding and commission merchants to enforce liens.

No. 178. An act for the relief of the purchasers of school lands in Delaware, Randolph, Lagrange, Noble, and DeKalb counties.

No. 179. An act relative to establishment of ferries.

No. 183. An act for the relief of John Houghton of Marshall county.

No. 184. An act in relation to the city of Indianapolis.

No. 185. A joint resolution in relation to the purchase of water rotted hemp for the United States Navy.

No. 181. An act to repeal certain acts therein named, in relation to the seminary and library in the county of Crawford.

No. 141. An act defining the duties of State Agent.

In which I am directed to ask respectfully the concurrence of this House.

The Senate has also passed engrossed bills of the House of the following titles, to-wit:

No. 148. An act to amend an act to provide for the appointment of township assessors in certain counties therein named, and defineing their duty; with one amendment.

No. 257. An act to further reduce the expenses of Brown and Owen counties; with one amendment.

No. 319. An act to provide for the loaning of the school funds in Vigo county; without amendment.

In which amendments I am directed to ask respectfully the concurrence of this House.

Bills of the Senate in said message mentioned, numbered 105, 124, 150, 161, and 141;

Were severally read a first and second times,

And passed to a third reading,

The rule being suspended therefor.

Bills numbered 102 and 181,

Were severally read a first time,

And passed to a second reading.

Bills numbered 109, 162, 165, 166, 167, 169, 171, 172, 178, 179, 183, 185, and 181;

Were read three several times,

The rule being suspended therefor;

And passed.

Ordered, That the clerk inform the Senate thereof.

No. 112, in said message mentioned,

Was read a first and second times,

The rule being suspended therefor; when

Mr. Shelby moved to refer said bill to a select committee, to be composed of the delegation of the counties through which said road runs;

Mr. Shelby chairman.

Which motion prevailed.

No. 122, in said message mentioned,

Was read a first and second times,

The rule being suspended therefor,

And,

On motion,

Referred to the same select committee.

No. 130, in said message, was

Read the first and second times,

And referred to the committee on corporations,

The rule being suspended therefor.

No. 134, in said message,

Was read a first and second times,

The rule being suspended therefor,

And referred to the same committee.

No. 145, in said message mentioned,

Was read a first and second times,

The rule being suspended therefor,

And referred to the committee on roads.

No. 173. In said message mentioned;

Was read a first and second times,

The rule having been suspended therefor; when

Mr. Clark of T. moved to amend by striking out the county of Tippecanoe, wherever it occurs;

And the ayes and noes being requested thereon by Messrs. Clark of T. and O'Neal:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Allen of Putnam, Athon, Barbour, Barrett, Boone, Bowles, Burton, Byers, Chapman, Clark of Tippecanoe, Cowen, Cuppy, Edger, Elder, Engle, Ferry, Ford, Forseman, Garrett, Gorman, Handy, Hardin, Hodges, Hostetter, Jones of Fountain Jones of Franklin, Keimer, Kelly, Logan of Pike, Logan of Washington, Macy, McAlister, McClure, McConnell, McRae, Mickle, Miller of Vanderburgh, Montgomery, Mooney, Moore, Nees, Norvell, O'Neal, Palmer, Robbins, Roberts of Putnam, Simonson, Spicknall, Tevis, Turman, Williams, and Mr. Speaker—53.

Those who voted in the negative are,

Messrs. Bearss, Blakemore, Clark of Hamilton, Coffin, Gilbert, Gregory, Hannah, Harrison, Hiatt, Holloway, Huddleston, Hurlbut,

Kerr, Lee of Jeff., Lee of Posey, McDonald, Miller of Crawford, Montague, Morgan, Nutter, Parker, Reed, Rich, Roberts of Laporte, Seller, Shelby, Simpson, Sutherland, Verbrike, Williamson, Wolfe, and Wright—30.

So said amendment was adopted.

Mr. Forseman moved to reconsider the vote just taken;

Which motion did not prevail.

Mr. Forseman then asked leave to change his vote on said question;

Which leave was granted by the House.

The rule was then further suspended, and the joint resolution was read a third time and passed.

Ordered, That the clerk report the same to the Senate and ask their concurrence in said amendment.

No. 174. In said message mentioned;

Was read a first and second times,

The rule being suspended therefor;

When Mr. Gorman moved to amend as follows:

Insert in its proper place the following:

"*Provided*, That property shall not sell for less than two-thirds its appraised value;"

Which amendment was adopted.

Mr. McRae moved to amend as follows:

Insert "two years" in lieu of "one year" wherever it occurs;

Which was not adopted.

The bill was then read the third time, and passed.

Ordered, That the Senate be informed thereof.

The amendments of the Senate to engrossed bills of the House No. 257 and 148, in said message mentioned, were concurred in.

Then,

On motion,

The House adjourned till half-past 1 o'clock, P. M.

Half-past 1 *o'clock*, *P. M.*

The House met pursuant to adjournment.

The following message was received from the Senate by Mr. Davis of Floyd, a Senator:

Mr. Speaker:

I have been directed by the Senate to inform the House of Representatives that the Senate has passed engrossed bill thereof as follows:

No. 189. An act in relation to the boundary line between the counties of Clark and Floyd;

In which the concurrence of the House is respectfully requested.

Said bill was read three several times,

The rule being suspended therefor,

And passed.

Ordered, That the clerk inform the Senate thereof.

Mr. Bowles. on leave, introduced

No. 393. A bill more specially defining the duties of Treasurer of State;

Which was read a first and second times,

The rule being suspended therefor;

When Mr. Simonson moved to strike out of said bill all that part which relates to the Treasurer's paying out one quarter of one per cent Treasury Notes, on claims against the State;

And the ayes and noes being demanded thereon by Messrs. Bowles and Simonson:

Those who voted in the affirmative are,

Messrs. Athon, Barbour, Barrett, Bearss, Blakemore, Chapman, Clark of Hamilton, Clark of Tippecanoe, Coffin, Cuppy, Engle, Ferry, Foley, Forseman, Gilbert, Gorman, Gregory, Hannah, Hardin, Harris, Harrison, Hiatt, Holloway, Huddleston, Hurlbut, Jones of Fountain, Jones of Franklin, Keimer, Kelly, Kerr, Lee of Jefferson, McAlister, McClure, McConnell, McDonald, Mickle, Montague, Montgomery, Morgan, Nees, Nutter, Parker, Reed, Rich, Roberts of Laporte, Seller, Shelby, Simonson, Simpson, Sutherland, Williamson, Wolfe, Wright and Mr. Speaker—52.

Those who voted in the negative are,

Messrs. Allen of Laporte, Allen of Putnam, Boone, Bowles, Byers, Cowen, Dowling, Edger, Elder, Ford, Fuller, Garrett, Helwig, Hobbs, Hodges, Hostetter, Lee of Posey, Logan of Washington, Macy, McRae, Miller of Crawford, Miller of Vanderburgh, Mooney, Moore, Norvell, Palmer, Robbins, Roberts of Putnam, Spicknall, Tevis, Turman, Vebrike, and Williams—33.

So said amendment was adopted.

Mr. Gorman moved further to amend by making it the duty of the Treasurer to pay "out of the Bank tax fund;

Mr. Moore moved to amend the amendment so that the Treasurer shall pay to the members and officers of the General Assembly, *pro rata*;

Which amendment to said amendment was adopted.

The amendment as amended was adopted by the House.

Mr. Williams then moved further to amend as follows:

"That nothing in this act shall be so construed as to effect the 15th section of the Bank charter;"

Which amendment was adopted.

Mr. Blakemore moved to amend by adding thereto in the proper place the following:

"And other officers of the State in general;"

Which was not adopted.

Mr. Palmer moved to amend by adding the following:

"That nothing in this act shall be so construed as to divert the Bank tax from its proper channel;"

Which amendment was adopted.

Mr. Huddleston then moved that the bill as amended, be laid on the table;

And the ayes and noes being demanded by Messrs. Rich and Huddleston:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Barrett, Blakemore, Boone, Bowles, Clark of Tippecanoe, Cuppy, Edger, Engle, Ferry, Foley, Ford, Forseman, Hannah, Harris, Harrison, Helwig, Hiatt, Holloway, Huddleston, Hurlbut, Kerr, Lee of Jefferson, Lee of Posey, McRae, Mooney, Nees, Norvell, Nutter, Reed, Rich, Roberts of Laporte, Seller, Shelby, Simpson, Sutherland, Tevis, Turman, Verbrike, Williams, Williamson, and Wright—41.

Those who voted in the negative are,

Messrs. Allen of Putnam, Athon, Barbour, Bearss, Byers, Chapman, Clark of Hamilton, Coffin, Conner, Cowen, Dowling, Elder, Fuller, Garrett, Gilbert, Gorman, Gregory, Handy, Hardin, Hobbs, Hodges, Hostetter, Jones of Fountain, Jones of Franklin, Keimer, Kelly, Logan of Washington, Macy, McAlister, McClure, McConnell, McDonald, Mickle, Miller of Crawford, Miller of Vanderburgh, Montgomery, Moore, Morgan, O'Neal, Palmer, Parker, Robbins, Roberts of Putnam, Simonson, Spicknall, Wolfe, and Mr. Speaker.—46.

So said motion did not prevail.

Mr. Hurlbut then moved to amend by striking out so much as makes Treasury Warrants receivable for trust funds;

Which motion did not prevail.

Mr. Blakemore moved to strike out so much as makes Treasury Warrants receivable for county taxes;

Which motion did not prevail.

The question then being,

Shall the bill be engrossed ?

And the ayes and noes being demanded by Messrs. Bowles and Hurlbut:

Those who voted in the affirmative are,

Messrs. Allen of Putnam, Athon, Barbour, Burton, Byers, Chapman, Clark of Hamilton, Clark of Tippecanoe, Cowen, Elder, Fuller, Gilbert, Gorman, Gregory, Handy, Hostetter, Jones of Fountain, Jones of Franklin, Keimer, Kelly, Logan of Washington, Macy, McAlister, McClure, McConnell, McDonald, Mickle, Miller of Crawford, Miller of Vanderburgh, Montgomery, Moore, Norvell, O'Neal, Palmer, Robbins, Roberts of Putnam, Simonson, Spicknall, Turman, Williams, Wolfe, and Mr. Speaker.—42.

Those who voted in the negative are,

Messrs. Allen of Laporte, Barrett, Blakemore, Boone, Bowles, Coffin, Conner, Cuppy, Edger, Engle, Ferry, Foley, Ford, Forseman, Garrett, Hannah, Hardin, Harris, Harrison, Helwig, Hiatt, Hobbs, Hodges, Holloway, Huddleston, Hurlbut, Kerr, Lee of Jefferson, Lee of Posey, Logan of Pike, McRae, Mooney, Morgan, Nees, Nutter, Parker, Reed, Rich, Seller, Shelby, Simpson, Sutherland, Tevis, Verbrike, and Wright—45.

So said bill was not ordered to be engrossed.

No. 391. A bill making specific appropriations for the year 1844;

Was read a second time; when

Mr. Cuppy, chairman of the committee on claims, moved to amend by adding 10 additional sections, as allowed and examined by that committee:

1st. Allowing A. J. Harlan $10 for services as Assistant Clerk last House of Representatives: 2d. J. Cain $3 44: 3d. Benjamin Pottage $14 82: 4th. C. B. Davis $14 for sand boxes, &c.: 5th. J. M. Talbott $2 50: 6th. N. Lister $1 25 for brooms, &c., for General Assembly: 7th. Craighead & Brandon $5 40: 8th. Walker & Vandegrift $5 75 for work on State House: 9th. that Drum, Wilkins, & Co., $11 62: 10th. that Jno. H. and James Bradley $100 00 for professional services;

Which amendment was adopted.

Mr. Simonson moved to amend the bill as follows, to-wit:

In that portion of the bill which relates to the compensation of the superintendent of the State Prison, insert:

"One-half to be charged to Pratt & McDougal, in pursuance with their contract with the State;

Which amendment was adopted.

Mr. Barbour moved to amend the bill by adding 40 cents to the appropriation to John Cain, Postmaster, for postage on letters addressed to the chairman of the committee on elections of the House;

Which amendment was adopted.

Mr. Wright moved to amend the bill by striking out "three dollars per day" for clerk of committee on elections and insert "two dollars;"

Which amendment was adopted.

Mr. McDonald moved to amend the bill by adding the following section, to-wit:

"SEC. —. That the clerk for the committee on ways and means shall not be allowed to also charge for the same days during which he was clerk to the committee on elections of the Senate, so as to get double pay for the same time;"

Which amendment was adopted.

Mr. Hostetter moved to amend the bill as follows:

"For the expenses incurred in conveying the remains of Hon. Stephen S. Collett, a Senator, to his late residence in Vermillion county, the sum of eighty dollars, the said amount to be paid to his administrator or administrators, and also, the sum of one hundred dollars for the per diem allowance and mileage due the said deceased;

Which amendment was adopted.

Mr. Simonson moved to amend the bill by striking out the 12th section;

Which amendment was adopted.

Mr. Wright moved to amend the bill as follows:

"Strike out so much of the bill as make any allowance to the Secretary of State for making an index to the laws of the present session;

Which amendment was adopted.

Mr. Hurlbut moved to amend the 11th section of said bill by adding the word "thereof" after the words "so much;"

Which amendment was adopted.

Mr. Moore moved to amend said bill by striking out the 8th section thereof;

Which amendment was adopted.

Mr. Morgan moved further to amend by striking out "$4,00 per day" for clerks and secretaries, and insert $3,00;"

Mr. Handy moved to amend said amendment by striking it out and inserting that said clerks and secretaries shall receive three dollars per day for their services and one dollar in addition per day for extra night services;

Mr. Chapman called for a division of the question on striking out "four dollars;"

And the ayes and noes being demanded by Messrs. Chapman and Logan of W.:

Those who voted in the affirmative are,

Messrs. Allen of Putnam, Athan, Barrett, Blakemore, Boone, Burton, Chapman, Coffin, Conner, Cuppy, Engle, Foley, Forseman, Gregory, Handy, Hannah, Hardin, Harrison, Hiatt, Holloway, Kelly, Logan of Pike, Miller of Crawford, Montague, Montgomery, Moore, Morgan, Norvell, Nutter, O'Neal, Rich, Roberts of Putnam, Seller, Turman, Williamson, and Wright.—36.

Those who voted in the negative are,

Messrs. Allen of Laporte, Barbour, Bearss, Bowles, Byers, Clark of Hamilton, Clark of Tippecanoe, Dowling, Edger, Elder, Ferry, Ford, Garrett, Gilbert, Gorman, Helwig, Hobbs, Hodges, Hostetter, Huddleston, Jones of Fountain, Jones of Franklin, Kerr, Lee of Jefferson, Lee of Posey, Logan of Washington, McAlister, McClure, McConnell, McDonald, McRae, Mickle, Miller of Vanderburgh, Mooney, Nees, Palmer, Parker, Reed, Robbins, Roberts of Laporte, Shelby, Simonson, Simpson, Spicknall, Sutherland, Tevis, Verbrike, Williams, Wolfe, and Mr. Speak-er.—50.

So the House refused to strike out.

Mr. Parker then moved to amend the bill by adding the following:

"That the President Judges of the 6th, 7th, and 9th judicial circuits be, and they are hereby allowed two hundred dollars each in addition to their salaries for the first year;"

And the ayes and noes being demanded by Messrs. Parker and Chapman:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Barbour, Bearss, Bowles, Byers, Coffin, Cowen, Dowling, Gregory, Hannah, Harrison, Hobbs, Jones of Fountain, Kerr, Macy, McDonald, Miller of Vanderburgh, Montague, Parker, Roberts of Laporte, Tevis, and Wolfe—22.

Those who voted in the negative are,

Messrs. Allen of Putnam, Athon, Barrett, Blakemore, Boone, Burton, Chapman, Clark of Hamilton, Clark of Tippecanoe, Conner, Cuppy, Edger, Elder, Engle, Ferry, Foley, Ford, Fuller, Garrett, Gilbert, Gorman, Handy, Hardin, Harris, Helwig, Hiatt, Hodges, Holloway, Hostetter, Huddleston, Jones of Franklin, Keimer, Kelly, Lee of J., Lee of Posey, Logan of Pike, Logan of Washington, McAlister, McClure, McConnell, McRae, Mickle, Miller of Crawford,

Montgomery, Mooney, Moore, Morgan, Nees, Norvell, Nutter, O'Neall, Palmer, Reed, Rich, Robbins, Roberts of Putnam, Seller, Shelby, Simonson, Spicknall, Sutherland, Turman, Verbrike, Williams, Williamson, Wright, and Mr. Speaker.—67.

So said amendment was not adopted.

Mr. Chapman moved to amend the last section of Mr. Cuppy's amendment by adding the following:

"To be paid out of any judgments which were obtained by said suits, or out of Wabash and Erie canal land scrip or either of them, at the option of the said Bradley's;"

Which amendment was not adopted.

Mr. Elder moved to amend the third section as follows:

"That one dollar and fifty cents be stricken out and two dollars inserted, where it relates to pay of those employed in splitting and drawing up wood;"

Mr. Gorman moved to amend said amendment as follows:

Strike out "two dollars and fifty cents" and insert "two dollars" for Assistant Door-Keepers;

And the ayes and noes being demanded by Messrs. Gorman and Roberts of P:

Those who voted in the affirmative are,

Messrs. Allen of Putnam, Barrett, Blakemore, Boone, Chapman, Clark of Hamilton, Conner, Elder, Engle, Gilbert, Gregory, Handy, Hannah, Hardin, Harris, Harrison, Holloway, Hurlbut, Keimer, Kerr, McDonald, McRae, Miller of Crawford, Montague, Morgan, Norvell, Nutter, Robbins, Rich, Roberts of Putnam, Williams, and Wright —30.

Those who voted in the negative are,

Messrs. Allen of Laporte, Athon, Barbour, Bowles, Coffin, Ferry, Foley, Ford, Forseman, Fuller, Garrett, Gorman, Helwig, Hiatt, Hobbs, Hodges, Hostetter, Huddleston, Jones of Fountain, Jones of Franklin, Kelly, Lee of Jefferson, Lee of Posey, Logan of Pike, Logan of Washington, Macy, McAlister, McClure, McConnell, Mickle, Miller of Vanderburgh, Montgomery, Mooney, Moore, Nees, O'Neal, Parker, Roberts of Laporte, Shelby, Simonson, Simpson, Spicknall, Sutherland, Tevis, Turman, Verbrike, Williamson, Wolfe, and Mr. Speaker.—50.

So said amendment was not adopted.

The question then recurring on Mr. Elder's amendment;

And the ayes and noes being demanded thereon by Messrs. Elder and Roberts of P:

Those who voted in the affirmative are,

Messrs. Barbour, Bowles, Dowling, Elder, Ferry, Foley, Garrett, Gorman, Gregory, Harris, Helwig, Huddleston, Jones of Franklin, McAlister, McClure, McRae, Mickle, Miller of Crawford, Moore, Palmer, and Tevis.—21.

Those who voted in the negative are,

Messrs. Allen of Laporte, Allen of Putnam, Athon, Barrett, Blakemore, Boone, Burton, Chapman, Clark of Hamliton, Coffin, Conner, Cuppy, Edger, Engle, Ford, Forseman, Fuller, Handy, Hannah, Hardin, Harrison, Hiatt, Hobbs, Hodges, Holloway, Hostetter, Hurlbut, Jones of Fountain, Keimer, Kelly, Kerr, Lee of Jefferson, Lee of Posey, Logan of Pike, Logan of Washington, Macy, McConnell, McDonald, Miller of Vanderburgh, Montague, Montgomery, Mooney, Morgan, Norvell, Nutter, O'Neal, Parker, Rich, Robbins, Roberts of Laporte, Roberts of Putnam, Shelby, Seller, Simonson, Simpson, Spicknall, Sutherland, Turman, Verbrike, Williams, Williamson, Wolfe, Wright, and Mr. Speaker.—63.

So said amendment was not adopted.

Mr. Gorman moved the following amendment:

"That Austin Brown be allowed for seven days' services as Assistant Clerk, at three dollars per day;"

Which amendment was not adopted.

Mr. Moore moved to strike out the amount allowed to the superintendent of the State Prison, for a plan of a deaf and dumb asylum;

Which amendment was not adopted.

Said bill was then ordered to be engrossed for a third reading on to-morrow.

Mr. Robbins, on leave granted, introduced the following resolution:

Resolved, That the House of Representatives will hold a night session this evening, to meet at the usual hour of night sessions, and that the House will, at its night session, take up bills of the House on their third reading.

Which resolution was adopted.

Then,

On motion,

The House adjourned until half-past 6 o'clock, P. M.

Half-past 6 *o'clock*, *P. M.*

The House met pursuant to adjournment.

The following message was received from His Excelleny the Governor by Mr. Kinder, his Private Secretary:

Mr. Speaker:

I am instructed by His Excellency the Governor, to inform the House of Representatives, that he did on this day sign and approve the following act:

No. 89. An act regulating the salary of the county auditor, in the county of Fountain;

Which originated in the House of Representatives.

The Speaker laid before the House the report of the superintendent of common schools;

Which,

On motion of Mr. Gorman,

Was laid on the table and five hundred copies ordered to be printed.

Mr. Miller of V., on leave, introduced

No. 394. A bill to vacate the town of Otsego, and for other purposes;

Which was read a first time; when

Mr. Montgomery moved that said bill be rejected;

Which motion did not prevail.

The bill was then read a second time,

The rule being suspended therefor,

When Mr. Roberts of P., moved to amend by striking out so much as relates to valuation;

Which amendment was not adopted.

Then the rule was further suspended, and the bill considered as engrossed, and read a third time;

And the question being,

Shall the bill pass?

And the ayes and noes being demanded thereon, by Messrs. Roberts of P. and Montgomery:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Barrett, Bearss, Blakemore, Bowles, Burton, Coffin, Engle, Ford, Forseman, Garrett, Gilbert, Gregory, Hardin, Harris, Harrison, Helwig, Hodges, Holloway, Huddleston, Hurlbut, Jones of Fountain, Jones of Franklin, Kerr, Lee of J., McConnell, McDonald, Miller of Vanderburgh, Montague, Morgan, Norvell,

Nutter, O'Neal, Palmer, Parker, Roberts of Laporte, Seller, Shelby, Simpson, Tevis, Turman, and Williamson,—42.

Those who voted in the negative are,

Messrs. Allen of Putnam, Athon, Barbour, Boone, Byers, Chapman, Clark of Tippecanoe, Cuppy, Elder, Ferry, Foley, Halbert, Handy, Hostetter, Keimer, Kelly, Lee of Posey, McAlister, McClure, McRae, Mickle, Miller of Crawford, Montgomery, Mooney, Moore, Nees, Robbins, Roberts of Putnam, Simonson, Spicknall, Sutherland, and Verbrike.—31.

So the bill passed.

Ordered, That the clerk report the same to the Senate and ask its concurrence.

On motion,

Messrs. Miller of Vanderburgh and Handy have leave to be absent from the service of this House during the remainder of the session.

A message was received from the Senate, by Mr. Doran, its Assistant Secretary:

Mr. Speaker:

The Senate disagrees to the amendment of the House of Representatives to bill of the Senate entitled

No. 8. An act to incorporate the University of Notre Dame du Lac.

On motion of Mr. Hurlbut,

The House insists on its amendments to said bill in the said message mentioned.

Ordered, That the Senate be informed thereof.

A message was received from the Senate, by Mr. Walpole, a Senator:

Mr. Speaker:

The Senate insist upon their disagreement to the amendments of the House to joint resolution entitled

No. 13. A joint resolution explanatory of an act entitled "An act for the relief of Jesse J. Burton and Joseph Luther," approved Feb. 2d, 1843, and an act entitled "An act for the relief of Nathan Burchfield," approved Feb. 11th, 1843, and for other purposes.

Messrs. Wilber and Read are appointed a committee of free conference on the part of the Senate.

A similar committee is respectfully requested on the part of this House.

On motion of Mr. Barbour,

The House continued to insist on its said amendments to the joint resolution mentioned in said message; whereupon

The chair appointed Messrs. Barbour and Roberts of Putnam a committee of free conference on the part of the House.

Ordered, That the Senate be informed thereof.

Mr. Cuppy, from the committee on claims, made the following report:

Mr. Speaker:

The committee on claims to which was referred the petition of Jacob Daringer, praying the passage of an act for the refunding of moneys overpaid by him to the saline fund, have had that subject under consideration and have directed me to report the following bill and recommend its passage:

No. 395. An act for the relief of Jacob Daringer;

Which was read a first time and passed to a second reading.

Mr. Simonson, on leave, made the following report:

Mr. Speaker:

The select committee to which was referred a bill entitled

No. 246. A bill to amend the 104th section of the fourth article of chapter 16 of the Revsed Statutes,

Have had the same under consideration, and have amended the same by striking it out from the enacting clause, and inserting the amendment herewith reported, and directed me to recommend its passage.

Said amendment was concurred in and the bill read a third time and passed.

Ordered, That the Senate be informed thereof and its concurrence requested.

The Speaker, Mr. Bowles in the chair, moved to suspend the rules for the purpose of introducing reports generally;

Which motion prevailed.

Mr. Jones of Fountain made the following report:

Mr. Speaker:

The commtiee on canals and internal improvements to whom was referred the petition of John Yount and Philip Weaver, of Fountain county, asking the privilege of turning Young's creek and other water into the canal, and using the same amount of water so let in, at Attica for the purpose of propelling machinery, have had that subject under consideration and have directed me to report the following bill and recommend its passage:

No. 396. A bill for the benefit of John Yount and Philip Weaver;

Which was read a first time and passed to a second reading.

Mr. Gorman made the following report:

Mr. Speaker:

Th committee on federal relations to which was referred
No. 380. A joint resolution relative to the liquidation of the state debts of Indiana,
Have had the same under consideration and directed me to report that, in their opinion, it is highly expedient for the legislature to pass this joint resolution. They look upon it as all important to the honor and credit of Indiana that some expression of this kind should be made before they adjourn; they therefore recommend its passage;
Said joint resolution was accordingly read a third time and passed.
Ordered, That the Senate be informed thereof, and its concurrence requested.
Mr. Bearss introduced,
No. 397. A bill to declare a certain road therein named a state road;
Which was read three several times, (the rule being suspended therefor,) and passed.
Ordered, That the Senate be informed thereof and its concurrence requested.
Mr. Blakemore made the following report:

Mr. Speaker:

The committe on claims to which was referred the memorial of Theodore K. Brackenridge and others, heirs of George W. Brackenridge, deceased, praying relief for damages done in the construction of the White Water canal, have had that subject under consideration and have directed me to report the following bill and recommend its passage:
No. 398. A bill for the relief of the heirs of George W. Brack enridge, deceased, late of Franklin county:
Which was read a first and second times, (the rule being suspended,) and, on motion, laid on the table.
Mr. Allen of Laporte introduced,
No. 399. A joint resolution relative to furnishing the different counties with official maps in township form;
Which was read a first and second times, the rule being suspended therefor, and, on motion, said bill was laid on the table.
Mr. Reed made the following report:

Mr. Speaker:

The committee on ways and means to which was referred petitions from sundry citizens of Vanderburgh county, praying that an act be passed providing that the county commissioners of said county of Vanderburgh shall not levy a county tax of more than fifty

cents on the one hundred dollars. The committee have had the same under consideration, and, in consequence of remonstrances numerously signed by citizens of said county, the committee directed me to report that legislation on that subject is inexpedient, and ask to be discharged from the further consideration thereof.

Which report was concurred in and the committee dicharged accordingly.

Mr. Gregory introduced,

No. 400. A joint resolution providing that each member of this General Assembly shall be entitled to a copy of the Revised Laws of this State;

Which was read three several times, the rule being suspended therefor, and, on the question,

Shall said joint resolution pass?

The ayes and noes being demanded thereon by Messrs. Gregory and Roberts of Putnam,

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Allen of Putnam, Athon, Barbour, Bearss, Bowles, Burton, Chapman, Coffin, Dowling, Elder, Ferry, Forseman, Garrett, Gregory, Halbert, Handy, Harris, Helwig, Holloway, Hodges, Hostetter, Hurlbut, Jones of Fountain, Jones of Franklin, Keimer, Kerr, Lee of Posey, Macy, McClure, McDonald, McRae, Miller of Crawford, Miller of Vanderburgh, Mooney, Morgan, Norvell, Nutter, Palmer, Robbins, Roberts of Laporte, Simpson, Spicknall, Sutherland, Tevis, Turman, Verbrike, and Wright.—49.

Those who voted in the negative are,

Messrs. Barrett, Blakemore, Clark of Hamilton, Clark of Tippecanoe, Cuppy, Engle, Foley, Ford, Gorman, Hardin, Harrison Huddleston, Kelly, Lee of Jefferson, Logan of Pike, McAllister, McConnell, Mickle, Montague, Montgomery, Moore, Nees, O'Neall, Parker, Rich, Roberts of Putnam, Seller, Simonson, Williams, Williamson, and Mr. Speaker.—27.

So said joint resolution passed.

Ordered, That the Senate be informed thereof and its concurrence requested.

Mr. Holloway made the following report:

Mr. Speaker:

The committee on the State Bank to which was referred a report of Messrs. Pepper and Drake, of their examination of the sinking fund, have had the same under consideration and have directed me to report that among the sinking fund loans there are loans on notes to the amount of $5,103 89, made principally while the banks in

Ohio and Illinois were failing, to save the State from loss, and a considerable saving to the State was thereby effected.

Your committee therefore report the following joint resolution and unanimously recommend its passage, to-wit:

No. 401. A joint resolution in relation to the settlement of the sinking fund account;

Which was read the first and second times, the rule being suspended therefor, and laid on the table.

Mr. McDonald introduced,

No. 402. A bill to locate a state road in the counties of Porter and Lake;

Which was read three several times, (the rules being suspended therefor,) and passed.

Ordered, That the clerk inform the Senate thereof.

Mr. Norvell, from a select committee, made the following report:

Mr. Speaker:

The select committee to which was referred the petition of sundry citizens of Lawrence and Monroe counties, on the subject of the Rockport road, have had the same under consideration and have directed me to report the following bill and recommend its passage:

No. 403. A bill to authorize the removal of all obstructions that may be across the Rockport road in the counties of Lawrence and Monroe;

Which was read three several times, (the rules being suspended therefor) and passed.

Ordered, That the Senate be informed thereof and its concurrence requested.

Mr. Parker, chairman of the judiciary committee, made the following report:

Mr. Speaker:

The judiciary committee to which was referred bill No. 23, of the House, on the subject of the jurisdiction of probate courts, upon examination of the Revision of 1843, find the matter of the bill fully provided for; they therefore ask to be discharged.

Which report was concurred in by the House and the committee discharged accordingly.

Mr. Parker, from the same committee, made the following report:

Mr. Speaker:

The judiciary committee to which was referred the memorial of sundry citizens of Carroll county on the subject of the state debt, the reduction of the number of members in the two branches of the legislature, and of biennial sessions thereof; have instructed me to re-

port that they fully appreciate the patriotic views of the memorialists, and trust the day is not distant when some, if not all their wishes will be realized; in the meantime it is believed that the present General Assembly have done about as much in this behalf as is expedient for them to attempt to do; the committee therefore ask to be discharged;

Which report was concurred in and the committee discharged accordingly.

Mr. Ferry made the following report:

Mr. Speaker:

The committee on corporations to which was referred bill of the Senate No. 134, entitled "A —— to incorporate the Lawrenceburgh and Indianapolis turnpike company," have had the same under consideration and have directed me to report the same back to the House with the following additional sections as amendments thereto; in which amendments the concurrence of the House is respectfully requested:

Sec. — That the stockholders of said corporation shall be liable to the same extent for contracts or liabilities made or incurred by said company, as partners in trade now are by law.

Sec. — The legislature hereby reserves the right to repeal or amend this act.

The question then being on the concurrence in said amendments;

And the ayes and noes being demanded by Messrs. Macy and Barrett;

Those who voted in the affirmative are,

Messrs. Allen of Putnam, Athon, Barbour, Boone, Bowles, Burton, Byers, Chapman, Clark of Hamilton, Clark of Tippecanoe, Cowen, Cuppy, Elder, Engle, Ferry, Garrett, Gorman, Halbert Handy, Hardin, Harris, Helwig, Hostetter, Jones of Fountain, Jones of Franklin, Keimer, Kelley, Logan of Pike, McAllister, McClure, McConnell, McDonald, McRae, Mickle, Miller of Crawford, Montgomery, Mooney, Moore, Norvell, O'Neall, Palmer, Rich, Robbins, Roberts of Putnam, Simonson, Turman, Williams, Wright, and Mr. Speaker—48.

Those who voted in the negative are,

Messrs. Allen of Laporte, Barrett, Bearss, Blakemore, Coffin, Dowling, Ferry, Ford, Forseman, Gilbert, Gregory, Harrison, Hodges, Holloway, Huddleston Hurlbut, Kerr, Lee of Jefferson, Lee of Posey, Macy, Miller of V., Montague, Morgan, Nutter, Parker, Reed, Roberts of Laporte, Seller, Simpson, Spicknall, Sutherland, Tevis, Verbrike, and Williamson—35.

So said amendments were concurred in.

Mr. Williamson presented a remonstance of certain citizens against the charter of the Noland's fork canal company;

Which was read and laid on the table.

Mr. Ferry made the following report:

Mr. Speaker:

The committee on corporations to which was referred bill No. 311 of the House, entitled "A bill to amend an act to incorporate the Lagro and Manchester turnpike company;" have had the same under consideration and have directed me to report it back to the House with the following amendments, in which amendments the concurrence of the House is respectfully requested:

Which amendments were concurred in,

And the bill ordered to be engrossed for a third reading on to-morrow.

Mr. Nees made the following report:

Mr. Speaker:

The select committee to whom was referred the petition of sundry citizens of Clay county praying a change of a part of a certain state road, have had that subject under consideration and have directed me to report the following bill, and recommend its passage, to-wit:

No. 404. A bill to change a certain part of a state road in Clay county; which was

Read three several times;

The rule being suspended therefor,

And passed.

Ordered, That the clerk inform the Senate thereof.

Mr. Moore made the following report:

Mr. Speaker:

The select committee to whom was referred a petition of the county board of Owen county praying a change in the assessing and collecting of the revenue, have had that subject under consideration, and your committee report that the first part of the prayers of the petitioners is answered; a bill has passed both branches of this General Assembly appointing assessors in each township in the counties of Owen and Washington; the second part contained in the petition in relation to collecting the revenue by the appointment of township collectors, your committee, owing to the last day of the session, have not time to examine the subject as they would like to do before making such an important change in the collection of the revenue; they have directed me to report that it is inexpedient to legislate on that subject at this time, and ask to be discharged from the further consideration of the subject.

Said report was concurred in, and the committee discharged accordingly.

Mr. Engle made the following report:

Mr. Speaker:

The select commmittee to whom was referred the communication of Messrs. Dowling and Cole, in relation to several suspended items in their account against the state for public printing, have had that matter under consideration, and herewith report a bill allowing their claim.

The reasons which operated upon the minds of the members of the committee in coming to this conclusion are brifly these: The committee find by reference to the Journal of the House for 1841–'2, page 138, that the House adopted a resolution directing the public printers to print the message of the Governor and insert it in the printed Journals. Also in Senate Journal, page 121, it will be seen that a similar resolution was adopted directing that the message be printed and inserted in the Senate Journal.

The law in relation to the folding of the Journals, reports, and bills of the House, is equally plain and conclusive. The act approved January 31, 1842, page 155 of the local laws of 1842, correcting a misprint, and extending the time for completing the public printing, ordered by the legislature of that year, allows twelve and one-half cents per hundred for folding &c., instead of per thousand, as provided in the provisions of an act approved January 21, 1841. The charges for the suspended items are made, and clearly come under the act of 1842, instead of that of 1841.

The committee are satisfied from the facts of the case and their examination of the matter, that the said public printers are entitled to pay for the suspended items referred to them, and that if there be wrong any where it is in the law and not in the charges. The committe therefore recommend the passage of the bill herewith reported, to-wit:

No. 405. A bill for the relief of Dowling and Cole, State Printers;

Which was read three several times,

The rule being suspended therefor,

And passed.

Ordered, That the clerk report the same to the Senate and ask its concurrence therein.

Mr. Simonson introduced

No. 406. A bill for the relief of Aquilla Rogers, agent of the three per cent fund in Monroe county;

Which was read three several times,

The rule being suspended therefor,
And passed.
Ordered, That the clerk report the same to the Senate and ask its concurrence.
Mr. Hurlbut introduced
No. 407. A bill permitting a dry dock at Wabash;
Which was read three several times,
The rule being suspended therefor,
And passed.
Ordered, That the clerk report the same to the Senate and ask their concurrence therein.
On motion of Mr. Morgan,
Bill No. 368. A bill to locate certain state roads therein named, and for other purposes, was taken from the table and read the third time, and passed.
Ordered, That the clerk report the same to the Senate and ask their concurrence therein.
Mr. Gorman moved to suspend the orders of business in order to move a reconsideration of the vote taken on the engrossment of bill No. 391;
Which motion prevailed.
Mr. Gorman then moved a reconsideration of said vote,
And debate arising thereon,
Mr. Ferry moved the previous question;
Which was seconded.
The question being,
Shall the main question be now put?
Was decided in the affirmative.
The main question was then put,
Shall the vote be reconsidered?
And the ayes and noes being demanded by Messrs. Gorman and Roberts of P.

Those who voted in the affirmative are,

Messrs. Allen of Putnam, Athon, Barbour, Blakemore, Burton, Chapman, Clark of Hamilton, Clark of Tippecanoe, Cuppy, Dowling, Elder, Engle, Ferry, Foley, Ford, Garrett, Gorman, Halbert, Handy, Hannah, Hardin, Hodges, Holloway, Hostetter, Huddleston, Hurlbut, Jones of Franklin, Keimer, Kelly, Kerr, Lee of Jefferson, Lee of Posey, Logan of Pike, McAllister, McClure, McConnell, McRae, Mickle, Miller of Vanderburgh, Montague, Montgomery, Moore, Morgan, Nees, Norvell, Nutter, O'Neal, Palmer, Reed, Rich, Robbins, Roberts of Putnam, Seller, Simonson, Spicknall, Turman, Verbrike, Williams, and Wright—56.

Those who voted in the negative are;

Messrs. Barrett, Bearss, Bowles, Byers, Coffin, Conner, Forseman, Gilbert, Gregory, Harris, Harrison, Macy, McDonald, Mooney, Parker, Roberts of Laporte, Shelby, Simpson, Sutherland, Tevis, Williamson, and Mr. Speaker.—23.

So said vote was reconsidered.

The question recurring on the engrossment of the bill;
It was,

On motion of Mr. Simonson,
Re-committed to the committee on ways and means.

ORDERS OF THE DAY.

Bills on their third reading.

No. 304. A bill for the relief of John Smith of Carroll county, and for other purposes;

No. 220. A bill making the road tax on land in the counties of Fulton, Marshall, White, Pulaski, Jackson, Benton and Stark, uniform, and for other purposes;

No. 150. A joint resolution of the General Assembly of the State of Indiana, on the subject of reducing the minimum price of the lands of the United States that have been in market 20 years and upwards, in the State of Indiana;

No. 250. A bill fixing the time of holding courts in the 10th judicial circuit;

No. 371. A bill changing a certain state road therein named;

No. 274. A bill to transfer the books, papers, &c., of the offices of the commissioner of Michigan road lands, and agent of the town of Indianapolis, to State Auditor's office;

No. 267. A bill altering and fixing the time of holding courts in the 12th judicial circuit, and for other purposes;

No. 316. A joint resolution for the relief of Samuel Campbell, an old and infirm soldier;

No. 84. A bill to repeal a part of an act on the subject of the New Albany and Vincennes road;

No. 268. A bill to amend the road law;

No. 260. A bill to amend the practice of law in the county of Shelby;

No. 254. A bill to provide for the transfer of saline lands and funds in the county of Orange;

No. 298. A bill to repeal a portion of the charter of the city of Richmond, Wayne county;

No. 171. An act increasing the road tax in the counties of Steuben and DeKalb;

No. 376. A bill to legalize the location of a state road in the counties of Wabash and Kosciusko;

No. 275. A joint resolution amendatory of "A joint resolution on the subject of counting and cancelling State bonds that have been received by the Treasurer of State," approved Feb. 9, 1843;

No. 364. A bill authorizing the Protestant Episcopal church in this State to raise a fund for the support of a Bishop, and to aid itinerant and superannuated ministers, their widows and children;

No. 362. A bill making general appropriations for the year 1844;

No. 204. A bill to amend an act entitled "An act authorizing the issue of $5 Treasury Notes for the redemption of the $50 Treasury Notes now in circulation," approved Jan. 31, 1842;

No. 249. A bill extending the provisions of an act therein named to the counties of Randolph, Jay, and Adams;

No. 330. A bill to locate a state road from Pleasant Hill in Montgomery county, to Fulton in Fountain county;

Which were severally read the third time,

And passed.

Ordered, That the clerk report the same to the Senate and ask their concurrence therein.

No. 209. A bill in relation to examiners of common school teachers;

No. 350. A bill to prevent seduction;

Which were each read a third time; and

On motion,

Laid on the table.

No. 285. A bill entitled "An act to repeal certain sections of an act therein named;

Which was read a third time, and

The question being,

Shall the bill pass?

It was decided in the negative.

It being ¼ past 9 o'clock, P. M.;

The House adjourned till to-morrow morning, half-past eight o'clock.

SATURDAY MORNING, JANUARY 13, 1844.

The House met pursuant to adjournment.

The reading of the journal was dispensed with; when
Mr. Dowling moved a call of the House;
Which was ordered.

When it appeared that the absentees were Messrs. Allen of Laporte, Barbour, Bowles, Coffin, Forseman, Fuller, Gorman, Halbert, James, Jones of Franklin, Jones of Fountain, Keimer, Lee of Posey, Logan of Washington, Miller of Vanderburgh, Mooney, Moore, O'Neall, Reed, Robbins, Roberts of Laporte.

Messrs. Keimer, James, and Jones of Fountain were excused on account of sickness.

Messrs. Bowles and others of the committee of ways and means were also excused; being absent on business connected with said committee.

Messrs. Huddleston and Clark of Hamilton have leave to change their votes on the motion to strike out four dollars and to insert three dollars, for clerks and secretaries; it not changing the result of that vote.

Mr. Chapman has leave to change his vote taken on the amendment proposed by Mr. Elder, to strike out $1 50, and to insert $2 00; he, having voted in favor of striking out, wishes to vote against it.

On motion of Mr. Hobbs,

The following preamble and resolution were adopted, for the purpose of correcting a mistake:

WHEREAS, a bill of the Senate, No. 57, entitled, "An act authorizing the recorder of Lagrange county to perfect the records of said county," was, by a vote of this House, laid on the table, and so entered upon the journal: *And*, *whereas*, by mistake, said bill was certified as passed and returned to the Senate: therefore,

Be it resolved, That His Excellency the Governor be requested to withhold his approval of said bill or otherwise arrest its operation.

On motion of Mr. Moore,

Resolved, That the Auditor of State be required to report to this House, forthwith, the amount allowed the commissioners for selecting the lands for the extension of the Wabash and Erie canal from the mouth of Tippecanoe river to Terre Haute, in the year 1843; and also the number of days they were employed in that service; and also by whom and in what manner this allowance was made, whether by per diem or generally.

Mr. Bearss presented the petition of citizens of Miami county in relation to a subject therein named;

Which was, on his motion, laid on the table.

Mr. Engle, from the committee on elections, made the following report:

Mr. Speaker:

The committee on elections to whom was referred the petition of sundry citizens of the county of Hancock, praying for the passage of a law confining voters to their respective townships in said county, have given the same an examination, and directed me to report a bill in accordance with the prayer of said petitioners, for the consideration of the House and ask to be discharged from the further consideration of that subject:

No. 408. A bill to confine the voters of of Hancock county to their respective townships;

Which was read the first time and passed to a second reading on to-morrow.

Mr. Parker, chairman of the judiciary committee, made the following report:

Mr. Speaker:

The judiciary committee to which was referred the petition of a large number of the citizens of Carroll county, praying for the removal of their county seat to a more convenient situation; also a remonstrance of a large number of citizens of the same county on the same subject have had that matter under consideration and direct me to report that as the matter is, by these papers presented to the committee, they do not feel themselves authorized to recommend any interference with the county seat as at present located. It is difficult, if not impossible, to adjust questions of the kind so as to satisfy every body. In this case, removal would obviously engender much dissatisfaction—the committee, therefore, ask to be discharged from the further consideration of this subject.

Which report was concurred in and the committee discharged.

Mr. Rich, from the judiciary committee, made the following report:

Mr. Speaker:

The committee on the judiciary to whom was referred the petition of J. W. Nesbitt and other citizens of Randolph county, praying a reduction of tavern and grocery license, have had that matter under consideration and have directed me to report it inexpedient to legislate on it at this time.

Which report was concurred in and the committee discharged from the further consideration of that subject.

Mr. Parker, chairman of the same committee, made the following report:

Mr. Speaker:

The judiciary committee to which was referred the petition of sundry citizens of Marion county, praying that the duties of county auditor may be transferred to the clerk of the circuit court of said county, and the office abolished, have had that matter under consideration and have directed me to report that they are informed that the clerk of said court is not desirous of having said duties imposed upon him, as his duties now are greater than he can perform without assistance. Were it otherwise, the committee are of the opinion that the change suggested would not advance the true interests of the county; they therefore ask to be discharged from the further consideration of the subject.

Which report was concurred in and the committee discharged accordingly.

Mr. Parker, chairman of the same committee, made the following report:

Mr. Speaker:

The judiciary committee to which was referred the petition of sundry citizens of Carroll county, praying the formation of a new county out of a portion of Carroll and some adjacent territory, have instructed me to report that they would deem an act in accordance with the prayer of the petitioners as unconstitutional. The twelfth section of the eleventh article of the constitution forbids the clipping of an old county down to less than four hundred square miles for the purpose of making a new one. Carroll county already contains less than four hundred square miles; hence the reduction of it in the slightest manner for the purpose petitioned, is deemed an obvious violation of the spirit if not of the letter of the constitutional provision aforesaid. An extended argument to sustain this position is unnecessary; the committee therefore ask to be discharged from the further consideration of the subject.

Which report was concurred in.

Mr. Blakemore, from the same committee, made the following report:

Mr. Speaker:

The judiciary committee to which was referred the petition of sundry citizens of the State of Indiana, praying the passage of a law to prevent disturbances of public meetings, and afford protection to citizens of this State when assembled for any lawful purpose, have had that matter under consideration, and, upon investigation, find that the Revised Statutes amply provide against the disturbance of

religious and all other public meetings of the people, and have directed me to report that further legislaton on that subject would be useless, and ask to be dicharged.

Which report was concurred in and the committee discharged accordingly.

Mr. Cuppy, upon leave, introduced a petition of citizens of Whitley county on the subject of killing deer in said county in certain seasons of the year; also a remonstrance on the same subject, and owing to the late period of the session, upon his motion, the petition and remonstrance were laid upon the table.

Mr. Rich, from the committee on the judiciary, made the following report:

Mr. Speaker:

The committee on the judiciary to whom was referred the petition of sundry citizens of Vanderburgh county, complaining of the great cost to their county of the trial of criminal causes and praying remedy therein, have ordered me to report that at this late day of the session, your committee have not time to give this subject the attenits importance demands; and they ask to be discharged.

Which report was concurred in and the committee discharged accordingly.

Mr. Clark of Tippecanoe, from a select committee, made the following report:

Mr. Speaker:

The select committee to whom was referred engrossed bill of the Senate

No. 112. A bill to incorporate the Lafayette and White River Turnpike Company,

Have had the same under consideration, and after a careful examination of all its provisions, have no hesitation in saying it is sufficiently guarded, and confers no power inconsistent with the best interests of the State, and have therefore unanimously directed me to report the bill to the House and recommend its passage.

Which report was concurred in and the bill therein named was considered as engrossed and read the third time and passed.

Ordered, That the Senate be informed thereof and its concurrence requested.

Mr. Shelby, from a select committee, made the following report.

Mr. Speaker:

The select committee to whom was referred bill of the Senate entitled

No. 122. An act to incorporate the Muncietown and Grant county Turnpike Company,

Have had the same under consideration and have directed me to report it back to the House, without amendment, and recommend its passage.

Which report was concurred in, and the bill therein named was considered as engrossed and read the third time and passed.

Ordered, That the Senate be informed thereof and its concurrence requested.

Mr. Nees, from a select committee, made the following report:

Mr. Speaker:

The select committeee to whom was referred the petition of sundry citizens of Clay county, praying the passage of a law applying certain funds in said county to the building of a bridge across Eel river, have had that subject under consideration, and they have directed me to report that the prayer of the petitioners is fully provided for in the Revised Statutes of 1843; and your committee ask to be discharged from the further consideration of the subject.

Which report was concurred in by the House and the committee discharged accordingly.

Mr. Bowles being in the chair, Mr. Parker asked and obtained leave to introduce the following resolution:

Resolved, *unanimously*, That the thanks of this House are hereby tendered the Hon. Andrew L. Robinson for the able, impartial, and efficient manner in which he has presided over its deliberations, as Speaker, during the present session.

Which was adopted without a dissenting voice.

Mr. Roberts of Putnam asked and obtained leave to introduce the following resolution:

Resolved, *unanimously*, That the thanks of the members of this House be tendered to William H. English, Principal Clerk, and William Jennings Vawter, Assistant Clerk, for the able and efficient manner in which they have discharged their several duties during the present session.

Which was also adopted without a dissenting voice.

On motion of Mr. McRae,

Resolved, That the Treasurer of State is hereby requested to deliver to each member and regularly elected officer of the present General Assembly, one of the defaced or mutilated state bonds which is in his possession.

Mr. McDonald, on leave, introduced,

No. 409. A bill to amend an act entitled "An act to confine voters to their respective townships in the counties of Tippecanoe, etc.;

Which was read three several times, (the rules being suspended therefor,) and passed.

Ordered, That the Senate be informed thereof, and its concurrence requested.

Mr. Ferry, on leave, introduced,

No. 410. A bill to amend the practice at law in the Allen circuit court, and for other purposes;

Which was read three several times, (the rule being suspended therefor,) and passed.

Ordered, That the Senate be informed thereof and its concurrence requested.

On motion of Mr. Simonson,

The vote heretofore taken on

No. 153. A bill to amend an act entitled "An act to provide for the keeper of the State House and Librarian," approved Feb. 2d, 1841,

By which the same was indefinitely postponed, was reconsidered.

The question being, Shall the bill be reconsidered?

It was decided in the affirmative.

The bill was then considered as engrossed and read the third time and passed.

Ordered, That the Senate be informed thereof and its concurrence requested.

On motion of Mr. Parker,

No. 47. (Of the Senate) a bill to establish an asylum for the education of deaf and dumb persons in the State of Indiana,

Was taken from the table; when

Mr. Parker moved to amend by adding the following additional section:

Sec. —. That nothing in this act contained shall be construed to make any permanent location of the Asylum for Deaf and Dumb at Indianapolis, and in the meantime the Governor is authorized to receive propositions of donations for the establishment of said asylum at any point where it may be desirable to locate the same.

Which was adopted and considered as engrossed, and the bill read the third time and passed.

Ordered, That the Senate be informed thereof and its concurrence requested.

A message from the Senate by Mr. Mitchell, a Senator:

Mr. Speaker:

The Senate has passed the following engrossed bill of the House of Representatives:

No. 354. An act to reduce the expenditures of the county of Carroll, without amendment.

On motion of Mr. McDonald,

No. 71. Of the Senate, a bill to amend an act entitled "An act to organize the militia of Indiana," approved Feb. 10, 1841, to revive and amend the laws authorizing the formation of independent militia by voluntary enlistments;

Was taken from the table, and read the third time;

And passed.

Ordered, That the clerk inform the Senate thereof.

ORDERS OF THE DAY.

Bills on their second reading.

No. 396. A bill for the benefit of John Yount and Philip Weaver;

No. 395. A bill for the relief of Jacob Darringer;

BILLS OF THE SENATE.

No. 82. A bill for the improvement of the town of Attica;

No. 75. A bill to enable the mayor and council of the city of New Albany to appropriate certain labor for one year;

No. 77. A bill to vacate a certain street in the town of Washington;

No. 142. A bill to legalize the proceeding of the commissioner of the Indianapolis and Lafayette State road;

No. 78. A bill to locate a state road in Sullivan and Greene counties;

No. 151. A bill for the location of a state road in the counties of Steuben and DeKalb.

No. 143. A bill to vacate a part of a state road in Noble and Lagrange counties;

Which were severally read the second and third times,

The rule being suspended therefor,

And passed.

Ordered, That the clerk inform the Senate thereof and ask its concurrence in the bills of the House.

BILLS ON THEIR THIRD READING.

No. 311. A bill to revive an act to incorporate the Lagro and Manchester turnpike company.

SENATE BILLS.

No. 123. A bill for the relief of Ann Frankbower, executrix of Robert McCormick, deceased;

No. 51. A bill providing for the location of a state road in Randolph and Jay counties;

No. 149. A bill to revive and amend an act entitled "An act for the relief of settlers on the Wabash and Erie canal lands," approved Feb. 24, 1840;

No. 105. A bill giving authority to take acknowledgments of deeds and conveyances as therein named;

No. 161. A bill relative to a state road in Bartholomew county;

No. 141. A bill defining the duty of State Agent;
No. 124. A bill supplemental to the 12th article of the 40th chapter of the Revised Code of 1843;
Which were severally read the third time,
And passed.
Ordered, That the clerk inform the Senate thereof and request its concurrence in bill of the House No. 311.

BILLS OF THE SENATE.

No. 160. A bill to amend 89th section of chapter 6 article 7 of the Revised Statutes of 1843;
No. 102. A bill to amend the 34th section of chapter 7 of the Revised Statutes;
Were each read the 2d time, and laid the table.
Mr. Blakemore moved to reconsider the vote taken on No. 141, of the Senate, a bill defining the duty of State Agent, by which the same passed the House;
And the ayes and noes having been demanded by Messrs. Roberts of P. and Moore:

Those who voted in the affirmative are;

Messrs. Allen of Laporte, Allen of Putnam, Barbour, Blakemore, Chambers, Clark of Hamilton, Foley, Garrett, Gilbert, Hannah, Hardin, Hiatt, Hobbs, Hodges, Holloway, Huddleston, Hurlbut, Kerr, Lee of Jefferson, Miller of Vanderburgh, Montague, Parker, Rich, Roberts of Laporte, Roberts of Putnam, Simpson, Sutherland, Tevis, Verbrike, and Wolfe—30.

Those who voted in the negative are;

Messrs. Athon, Boone, Burton, Chapman, Clark of Tippecanoe, Conner, Cowen, Cuppy, Edger, Elder, Engle, Ford, Fuller, Gorman, Harrison, Helwig, Hostetter, Jones of Fountain, Jones of Franklin, Keimer, Kelly, Logan of Pike, Logan of Washington, Macy, McAlister, McClure, McConnell, McDonald, McRae, Mickle, Montgomery, Moore, Morgan, Norvell, Nutter, O'Neall, Palmer, Robbins, Saffer, Seller, Shelby, Simonson, Smith, Spicknall, Turman, Williams, Williamson, Wright and Mr. Speaker—49.

So said vote was not reconsidered.
On motion of Mr. Hobbs,
The following report was taken from the table:

Mr. Speaker:

The committee on corporations, to whom has been referred a bill of the Senate, numbered 10, entitled "A bill to incorporate the Lagrange Phalanx," have had the same under consideration, and have directed me to

REPORT:

That in their opinion no charter should be granted to any company of men or incorporated body, to exercise any business, avocation, or pursuit, which, in its nature, is capable of being transacted or pursued by the community at large, or by any member thereof.

The committee are further of the opinion, that a charter for an incorporation should in no case be granted by any legislative body, unless the object for which the incorporation is sought, is calculated to promote the general interests or welfare of the community, in which the same is situate; and when the desired end can only be attained through the means of an incorporation. Instances of which exist at times, in the incorporation of charitable institutions, colleges, churches, bridge companies, and other objects of public interest, promotive of the public weal, which can only be attained through the association of capital and of enteprise.

An examination of the bill in question, has led your committee to the conclusion that it contains no one feature recommending it to a favorable consideration of this House, for apart from the fact that the ostensible objects of the incorporators are the prosecution of agriculture and commerce, without any restriction or definition of pursuit, a feature in itself sufficiently objectionable; it contains several other provisions which renders it, if possible, still more objectionable.

1st. It proposes to change materially the laws regulating descents.

2d. It proposes a material change in the existing laws in reference to the relation of husband and wife, and in regard to marital rights.

And 3d. The avowed object of the incorporation is the establishment of a new organization of society based upon a visionary notion in regard to some new fangled social system. The details of which the committee confess they have not imagination enough to fully comprehend.

The committee are of opinion that projects of this character have their origin in the schemes of designing men, with a view of speculation upon the credulity and ignorance of others. They are further of opinion, and all experience teaches, that the practical results of such schemes are always attended with a total failure in the accomplishment of the proposed end, and that their invariable tendency is to arouse a restlessness among the visionary, promotive of the disorganization of society, and a very considerable degree of disquietude in the public mind.

Your committee are therefore of opinion, that it is inexpedient to further legislate upon the subject, and have herewith returned said bill to the House, and recommend its indefinite postponement, and ask to be discharged from the further consideration thereof.

L. P. FERRY,
Chairman.

Mr. Palmer moved that the bill mentioned in said report be indefinitely postponed;

And the ayes and noes being demanded by Messrs. Hobbs and Palmer:

Those who voted in the affirmative are,

Messrs. Allen of Putnam, Athan, Barrett, Boone, Burton, Chapman, Clark of Hamilton, Clark of Tippecanoe, Cowen, Cuppy, Edger, Engle, Ferry, Foley, Ford, Fuller, Gorman, Hannah, Hardin, Harris, Helwig, Hiatt, Hostetter, Huddleston, Kelly, Logan of Pike, Logan of Washington, McClure, McConnell, McDonald, McRae, Miller of Crawford, Morgan, Nees, Norvell, Nutter, O'Neal, Palmer, Rich, Robbins, Roberts of Putnam, Saffer, Simonson, Smith, Tevis, Turman, Williams, Williamson, Wright, and Mr. Speaker.—50.

Those who voted in the negative are,

Messrs. Allen of Laporte, Barbour, Blakemore, Elder, Forseman, Gilbert, Gregory, Harrison, Hobbs, Hodges, Holloway, Hurlbut, Kerr, Lee of Jefferson, Macy, Miller of Vanderburgh, Montague, Montgomery, Moore, Parker, Roberts of Laporte, Shelby, Simpson, Spicknall, Sutherland, and Wolfe.—26.

So said bill was indefinitely postponed.

On motion of Mr. Chapman,

No. 94. Of the Senate, a bill authorizing and directing supervisors of public roads and highways to make their returns to the boards of commisioners of their repective counties at the June term thereof;

Was taken from the table; when

Mr. Hurlbut moved to amend as follows:

In the 1st section add "next after the expiration of their term of office;"

Which was adopted.

Then the bill was read a third time;

And passed.

Ordered, That the Senate be informed thereof.

Mr. Moore, on leave, introduced the following resolution:

Resolved, That the Auditor of State be requested to communicate to this House as speedily as practicable the quantity of paper requir-

ed for printing the Revised Code, the price paid therefor, and to whom paid;

Which was adopted.

No. 184. Of the Senate, a bill relative to the city of Indianapolis;

Which was read the second time; when

Mr. Sutherland moved to amend by striking out "north-west" and insert "north-east;"

Which was adopted.

Mr. Roberts of P. moved further to amend as follows: insert

Provided, however, That all the expenses be paid by the city of Indianapolis;

Which was adopted.

And the amendments considered as engrossed,

The rule being suspended therefor,

The bill was read the third time,

And passed.

Ordered, That the clerk report the same to the Senate and ask their concurrence in said amendments.

Mr. Norvell moved to take from the table No. 314, a bill for the relief of Michael McCall;

And the ayes and noes being demanded by Messrs. Logan of W. and Norvell:

Those who voted in the affirmative are,

Messrs. Athon, Barbour, Blakemore, Burton, Byers, Dowling, Edger, Engle, Ferry, Ford, Forseman, Gregory, Harris, Harrison, Hodges, Holloway, Hurlbut, Jones of Fountain, Jones of Franklin, Kerr, Macy, McClure, McConnell, Miller of Vanderburgh, Norvell, Nutter, Parker, Roberts of Laporte, Seller, Simpson, Tevis, Williams, Wolfe, and Wright—34.

Those who voted in the negative are,

Messrs. Allen of Putnam, Barrett, Boone, Clark of Tippecanoe, Cuppy, Foley, Fuller, Garrett, Gilbert, Gorman, Hannah, Hardin, Helwig, Hiatt, Hostetter, Huddleston, Keimer, Kelly, Lee of Jefferson, Lee of Posey, Logan of Pike, Logan of Washington, McDonald, McRae, Mickle, Miller of Crawford, Montague, Montgomery, Moore, Morgan, Nees, O'Neal, Robbins, Roberts of Putnam, Saffer, Shelby, Simonson, Smith, Spicknall, Turman, Verbrike, and Williamson.—42.

So said motion did not prevail.

The following message was received from the Senate by Mr. Defrees, a Senator:

Mr. Speaker:

I am directed by the Senate to inform the House of Representatives that they have passed engrossed bill of the Senate No. 200, entitled "A bill to repeal an act therein named, so far as the same relates to Delaware and St. Joseph counties," and ask the concurrence of the House therein.

No. 200. In the said message mentioned,
Was read three several times,
The rule being suspended therefor,
And passed.

Ordered, That the clerk inform the Senate thereof.

The following message was received from the Senate by Mr. Doran, their Assistant Secretary:

Mr. Speaker:

The Senate has passed an engrossed bill of the House,

No. 180. An act to abolish the office of county auditor in certain counties therein named;

With sundry amendments.

In which the concurrence of the House of Representatives is respectfully requested.

The first amendment reported herewith was concurred in by the House.

The second amendment was concurred in with the following amendment, by excepting from the provisions of the bill the counties of Carroll and Union.

The third amendment of the Senate, as reported, was concurred in.

The fourth amendment was not concurred in by the House.

Ordered, That the clerk inform the Senate thereof.

Mr. Chapman, chairman of the committee on roads, made the following report:

Mr. Speaker:

The committee on roads, to which was referred the petition of citizens of Whitley county, on the subject of vacating a certain state road therein named, have had that subject under under consideration, and have directed me to report the following bill and recommend its passage:

No. 411. A bill to vacate a certain state road therein named;
Which was read three several times,
And passed.

Ordered, That the clerk report the same to the Senate and ask their concurrence therein.

Mr. Chapman, from a select committee, made the following report:

Mr. Speaker:

The select committee, to whom was referred bill of the Senate No. 155, on the subject of the session of the grand jury of Hancock circuit court, have had the same under consideration, and have directed me to report the bill back with one amendment and recommend its passage:

The amendment of the committee to No. 155, in the said report mentioned, was concurred in;

And the bill read a third time,

And passed.

Ordered, That the clerk report the same to the Senate and request its concurrence in said amendment.

Mr. Bowles, chairman of the committee on ways and means, made the following report:

Mr. Speaker:

The committee of ways and means, to which was referred a bill of the House No. 391, to make specific appropriations for the year 1844 together with the schedule and vouchers of the Treasurer of State for expenditures on the State House, public buildings, and public grounds, have had the same under consideration, and a majority have directed me to report the bill back to the House without amendment, on the part of the committee, and

REPORT,

That the committee have also examined the schedule and vouchers so far as time and circumstances would permit; they called before them Messrs. Dunn, Bigger, and Cook, and examined them under oath, touching the justice of the said claims, generally, and more especially those in dispute; and from all the facts obtained, they are of opinion that the payments have been correctly made, and should be provided for by law, and the testimony on which the conclusions of the committee is predicated, is herewith respectfully submitted, and ask leave to be discharged from the further consideration of that subject.

The following is the testimony submitted by the committee of ways and means, by which they formed their report:

A

SATURDAY MORNING, *January* 13*th*, 1844.

Committee of ways and means met in committee room to examine Geo. H. Dunn, Treasurer of State, and John Cook, Librarian, touching certain things which were urged before the House by Mr. Gorman, the member from Monroe and Brown, as a reason for re-considering the vote on the specific appropriation bill.

Geo. H. Dunn, Treasurer, being sworn, deposeth and saith.

That he does not now recollect of any moneys being paid out by him which has no voucher, except fifty cents for a punch, and fifty cents for gate hinges, which he paid out of the State funds, and which were for the public benefit.

Question.

What do you know of the expenditures made under the direction of Mr. Cook?

Answer.

Mr. Cook frequently paid to hands during the progress of the work about the State House, small sums of money, and at the close of said work would furnish such account to the Treasurer, which was arranged in such voucher; occasionally I would advance him small sums to pay out for work done, which he would account for when he brought in his bills.

G. H. DUNN.

Mr. Cook being sworn, deposeth and saith:

Question by the Committee.

What do you know about the charge of overhauling, drying census and other documents, amounting to ten dollars?

Answer.

That some seventy or eighty boxes were received in a wet and damaged state, and it became necessary to employ help to open and dry them, being compelled to keep fire in the committee rooms for several days.

Question.

State what you consider the duty of Librarian in this matter?

Answer.

I do not consider it the duty of the Librarian to take charge of said documents. I was requested by the executive officer to take charge of, dry, and distribute; those papers and documents being no part of the State Library.

Question.

State to the committee what you know of the land documents?

Answer.

The land documents were sent here directed to the executive officer, who requested me to open and cleanse them, and prepare them for distribution to the counties.

Question.

What do you know of Mr. Pottages' claim?

Answer.

I know it to be correct, and I held the account at the time the order was given, which bill may have been sent to the Treasurer, or may be on the file in my office.

Question

What do you know of an account from Messrs. Craighead & Brandon?

Answer.

The account above referred to, was commenced in August, 1842, and closed Jan. 27, 1843, and has been paid since the last session of the Legislature, and from my personal knowledge, the account is correct.

Question.

What are the facts in relation to an account exhibited by yourself and paid by the treasurer?

Answer.

The account No. 29, being an account exhibited by me for items there set forth, is true according to such exhibit.

Question.

State what you know of a charge rendered by Jame Green for attending eight days at the State House and court room, and other services?

Answer.

Mr. Green was assisting in the State House and assisted in the court room during a part of its session, at the request of the Sheriff of the Supreme court.

Question.

Have any of the bills now presented ever before been presented and paid?

Answer.

None of these accounts have ever been presented before, and the reason is, that they are either running accounts which run beyond the session of the last Legislature or from other causes were not presented.

JOHN COOK.

Gov. Bigger being called before the committee and sworn, deposeth and saith:

Question by the Committee.

What do you know about the census and other public documents which were received at the Library?

Answer.

The United States' Secretary of State forwarded them to my address at this place, the documents and boxes weighed over eight thousand pounds. I opened a box myself, and found them wet, and in bad order, which moisture, I believe, was received before they were ship- at Madison. I called upon Mr. Cook to open and dry them, not as a job connected with his official duty, but as having the conveniences of so doing, and that he performed such duty under my direction.

Question.

Do you think the charge extravagant for such work?

Answer.

I think the charge of ten dollars a reasonable one.

Question.

What do you know on the subject of the land documents?

Answer.

The land documents were also sent to my address, and the Legislature ordered them to be distributed to the different counties with the laws, each set consisted of five folio volumns, and were wrapt in strong paper and twined, and had all to be opened, in order to arrange the sets, and at my request Mr. Cook performed such service of opening and arranging the sets, and I believe the charge of four dollars to be a reasonable one.

SAMUEL BIGGER.

Mr. Gorman made the following counter report, from that committee:

Mr. Speaker:

The minority of the committee of ways and means, to which was referred the specific appropriation bill for 1843–'4,

REPORT

The following facts to the House.

Mr. Cook, the Librarian, charges the State $10,00 for drying books. This I say is a part of his duty under the law.

$6,00 for hauling manure. Mr. C. has no voucher, and if he hauled that manure to the plat around the State House, it was to enrich the grass, and make it more profitable, as he is entitled to the grass, as by law a part of his services as Librarian.

$4,00 for preparing land documents for distribution. This I believe, (no matter how many there was) was a part of his duty by law for his annual salary.

$3,00 for planting out trees. This is a made a part of his duty under the 9th section of the law governing the duty of the Librarian and State House keeper.

$10,00 for cash paid H. Curry for services. Mr. Cook does not stipulate what service, nor has he any voucher from Mr. Curry.

$134 22 cts. This amount was paid Morris Morris. I find this was done at Mr. G. H. Dunn's, the Treasurer's House, for a wood house, wash house, and smoke house.

$29 25. This is an order drawn on Mr. G. H. Dunn, by J. Cook, for sundries, without having a voucher for a single item, and that order is dated 26th Nov. 1842, before last session of the Legislature.

$8,00 is a sum paid to James Green, by the order of J. Cook, for services performed to the court room. This duty devolves upon the sheriffs and marshals of the different courts.

$62 76. This sum is for various items, putting down carpets, fixing, repairing the same, &c. Mr. Cook has not a single voucher for one single cent of this sum, and the whole account, dated in 1842, before last session of the Legislature, nearly every item charged in this claim, comes under the duties of the Librarian by law, with a few exceptions, it is his personal service.

I have no time to further pursue this subject. But if this course is to be tolerated, to allow salaried officers pay by way of perquisites, sundries, contingencies, &c. &c., where it is properly a part of his duty by law, and to allow those officers to be paid for those sundries, dittos, &c., without requiring them to exhibit a receipt or voucher for it, well may the people exclaim against high salaries and burthensome taxation.

I therefore recommend that $133 01 be postponed until the next session of the Legislature.

The item of $134 22 for building wash house, wood house, and smoke house is right, if the State is bound to put up such buildings at the house of G. H. Dunn, Treasurer of State, at her expense; this is for the House to judge; perhaps it is right.

Respectfully submitted,

W. A. GORMAN.

The question being taken on the concurrence of the report as made by Mr. Bowles;

It was decided in the affirmative.

The question then being,

Shall the bill No. 391, in said report mentioned, be engrossed for a third reading on to-morrow ?

When Mr. Ferry moved to amend the bill as follows: insert in its proper place

"To Day, Tyler, & Co., for Portfolio for Speaker of the House of Representatives, three dollars;"

Which was adopted.

Mr. Simonson moved to strike out so much of the said bill as allows Jno. H. & Jas. Bradley atterney fees;

And the ayes and noes being demanded thereon, by Messrs. Allen of L. and Foley:

Those who voted in the affirmative are,

Messrs. Athon, Boone, Bowles, Burton, Chapman, Clark of Tippecanoe, Cowen, Elder, Engle, Fuller, Gorman, Hardin, Hiatt, Hodges, Keimer, Kelly, Logan of Pike, Logan of Washington, McAlister, McClure, McConnell, McRae, Montgomery, Moore, Norvell, O'Neal, Palmer, Robbins, Roberts of Putnam, Simonson, Smith, Spicknall, and Williams.—33.

Those who voted in the negative are,

Messrs. Barbour, Barrett, Bearss, Blakemore, Clark of Hamilton, Conner, Dowling, Edger, Foley, Ford, Forseman, Garrett, Gilbert, Gregory, Hannah, Harris, Harrison, Helwig, Hobbs, Holloway, Hostetter, Huddleston, Hurlbut, James, Jones of Fountain, Jones of Franklin, Kerr, Lee of J., Lee of Posey, Macy, McDonald, Mickle, Miller of Vanderburgh, Montague. Morgan, Nutter, Parker, Reed, Rich, Roberts of Laporte, Seller, Shelby, Simpson, Sutherland, Tevis, Verbrike, Wolfe, and Mr. Speaker—49.

So said motion did not prevail.

Mr. Hardin moved to amend the bill as follows:

"Also strike out of the bill the amount recomended to be stricken out by the minority report;"

And the ayes and noes being demanded by Messrs. Gorman and Reed:

Those who voted in the affirmative are,

Messrs. Athon, Boone, Burton, Chapman, Clark of Tippecanoe, Cuppy, Ferry, Fuller, Gorman, Hardin, Logan of Washington, McAlister, McClure, McConnell, Mickle, Montgomery, Moore, Norvell, O'Neal, Robbins, Roberts of Putnam, Simonson, Smith, Spicknall, and Willams—24.

Those who voted in the negative are,

Messrs. Allen of Laporte, Allen of Putnam, Barbour, Barrett, Bearss, Bowles, Byers, Clark of Hamilton, Conner, Cowen, Dowling, Edger, Engle, Foley, Ford, Garrett, Gilbert, Gregory, Hannah, Harris, Harrison, Helwig, Hiatt, Hobbs, Hodges, Holloway, Hostetter, Huddleston, Hurlbut, Jones of Franklin, Keimer, Kelly, Kerr, Lee of Jefferson, Lee of Posey, Macy, McDonald, McRae, Miller of Vanderburgh, Montague, Mooney, Morgan, Nutter, Palmer, Parker,

Reed, Rich, Roberts of Laporte, Seller, Shelby, Simpson, Sutherland, Tevis, Turman, Verbrike, Williamson, Wolfe, and Mr. Speaker. —59.

So said amendment was not adopted.

Mr. Jones of Franklin moved to amend by inserting the following:

Insert between the words " Bradley and be" (in the proper place) the words "and other attorneys for the State;"

Which was not adopted.

Mr. Roberts of P. moved to reconsider the vote taken on striking out the allowance to J. P. Smith for making an estimate of the new State Prison;

Which motion prevailed.

The question then being,

Shall the said claim be stricken out?

It was decided in the negative.

The bill was then read the third time.

And the question being propounded,

Shall the bill pass?

And the ayes and noes being demanded by Messrs. Gorman and Moore:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Allen of Putnam, Athon, Barbour, Barrett, Bearss, Bowles, Byers, Clark of Hamilton, Conner, Dowling, Edger, Engle, Foley, Ford, Forseman, Garrett, Gilbert, Hannah, Harris, Harrison, Helwig, Hiatt, Hobbs, Hodges, Holloway, Hostetter, Huddleston, Hurlbut, James, Jones of Franklin, Kelly, Kerr, Lee of Jefferson, Lee of Posey, Logan of Pike, Macy, McClure, McDonald, McRae, Miller of Vanderburgh, Montgomery, Mooney, Nees, Norvell, Nutter, Palmer, Parker, Reed, Rich, Roberts of Laporte, Seller, Shelby, Simpson, Sutherland, Tevis, Turman, Verbrike, Wolfe, Wright and Mr. Speaker—60.

Those who voted in the negative are,

Messrs. Boone, Burton, Chapman, Clark of Tippecanoe, Cuppy, Elder, Ferry, Fuller, Gorman, Gregory, Hardin, Logan of Washington, McAlister, McConnell, Mickle, Moore, Morgan, O'Neal, Robbins, Roberts of Putnam, Simonson, Smith, Spicknall, Williams and Williamson—25.

So said bill passed.

Ordered, That the clerk report the same to the Senate and ask its concurrence.

Mr. Nees, from a select committee, made the following report:

Mr. Speaker:

The committee to whom was referred two petitions of the citizens of Clay county, on the subject of the township law of said county, have had the same under consideration and they have directed me to report the following bill and recommend its passage:

No. 412. A bill repealing so much of an act entitled "An act providing for a more uniform mode of doing township business therein named," so far as the same relates to the county of Clay;

Which was read three several times, (the rules being suspended therefor,) and passed.

Ordered, That the Senate be informed thereof and its concurrence requested.

Mr. Robbins, on leave, introduced,

No. 413. A bill providing for the removal of the canal land offices to Logansport;

Which was read a first time; when

Mr. Bearss moved to reject;

And the question being put, it was decided in the affirmative; then,

On motion,

The House adjourned till half past 1 o'clock, P. M.

Half past 1 *o'clock P. M.*

The House met.

Mr. Smith, on leave, introduced,

No. 414. A joint resolution to suspend the further operation of a certain joint resolution therein named;

Which was read a first time; when

Mr. McDonald moved that said joint resolution be rejected;

And the ayes and noes being demanded thereon by Messrs. McDonald and Smith,

Those who voted in the affirmative are,

Messrs. Allen of Putnam, Athon, Blakemore, Boone, Burton, Chapman, Dowling, Edger, Engle, Ferry, Gorman, Halbert, Hardin, Helwig, Hodges, Hostetter, Jones of Fountain, Jones of Franklin, Kelly, Logan of Pike, Logan of Washington, McAllister, McClure, McConnell, McDonald, McRae, Mickle, Montgomery, Nees, Norvell, Nutter, O'Neall, Palmer, Robbins, Roberts of Putnam, Saffer, Simonson, Spicknall, Turman, Williams, Wright, and Mr. Speaker.—43.

Those who voted in the negative are,

Messrs. Allen of Laporte, Barrett, Bearss, Clark of Hamilton, Coffin, Conner, Foley, Ford, Forseman, Garrett, Gilbert, Gregory, Hannah, Harrison, Hiatt, Hobbs, Holloway, Huddleston, Hurlbut, James, Kerr, Lee of Jefferson, Lee of Posey, Miller of Vanderburgh, Montague, Morgan, Parker, Rich, Roberts of Laporte, Seller, Simpson, Smith, Sutherland, Tevis, Verbrike, Williamson, and Wolfe.—38.

So said joint resolution was rejected.

Mr. Parker, chairman of the judiciary committee, made the following report:

MR. SPEAKER:

The judiciary committee to which was referred the communication of Samuel Miles, administrator of the estate of M. Phipps, deceased, praying that a law may be passed "to sell property on all demands in favor of said estate, without valuation," have had that matter under consideration and have directed me to report that they would regard the passage of a law such as prayed for by said administrator, inexpedient and unjust; they therefore ask to be discharged from the further consideration of that subject.

Which report was concurred in and the committee discharged accordingly.

A message was received from the Senate by Mr. Defrees, a Senator:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives, that they insist on its noncurrence in the amendments made by the House to bill of the Senate entitled

No. 8. An act to incorporate the University of Notre Dame du Lac,

and have appointed a committee of free conference consisting of Messrs. Defrees and Chapman on the part of the Senate; and they request the appointment of a similar committee on the part of the House.

On motion,

The House continues to insist on its said amendments; whereupon

The Chair appointed Messrs. Ferry and Clark of Tippecanoe a committee of free conference on the part of the House.

Ordered, That the clerk inform the Senate thereof.

A message was received from the Senate by Mr. Orth, a Senator:

MR. SPEAKER:

The Senate disagree to the amendment of the House of Representatives to joint resolution of the Senate entitled

No. 173. A joint resolution suspending a certain act therein named;

Striking from said resolution the county of Tippecanoe.

Mr. Shelby moved that the House recede from its amendment to the bill in said message mentioned;

Which motion did not prevail.

Ordered, That the Senate be informed thereof.

A message was received from His Excellency the Governor by Mr. Kinder, his Private Secretary:

Mr. Speaker:

I am instructed by His Excellency the Governor, to inform the House of Representatives that he has, this day, approved and signed the following acts:

No. 133. An act changing the application of water power at St. Mary's aqueduct on the Wabash and Erie Canal;

No. 354. An act to reduce the expenditures of the county of Carroll;

All which originated in the House of Representatives.

A message was received from the Senate by Mr. Otto, its Secretary:

Mr. Speaker:

The Senate has passed engrossed bills and joint resolution thereof, entitled as follows, to-wit:

No. 199. An act to certify a certain cause therein named to the supreme court;

No. 201. An act to authorize the General Superintendent of the Wabash and Erie Canal to correct an error in certificate No. 3,836 of Wabash and Erie Canal lands;

No. 202. An act for the relief of William N. Duzan, of Boone county;

No. 180. An act to incorporate the Rushville and Shelbyville Railroad Company;

No. 197. A joint resolution on the subject of the State House;

No. 177. An act to amend an act granting to the city of Madison and the town of Lawrenceburgh a city charter;

No. 182. An act to appoint and authorize the county commissioners to settle with the securities of Samuel Monroe, late school commissioner of Hamilton county;

In which I am directed to ask, respectfully, the concurrence of this House.

The Senate has also passed engrossed bills of the House of the following titles, without amendment, to-wit:

No. 27. An act for the relief of Curtis Mallory, treasurer of Hamilton county;

No. 147. An act to reduce the salary of the clerk of the state prison;

No. 228. An act to incorporate the Terre Haute Drawbridge Company;

No. 15. A joint resolution on the subject of the Oregon Territory.

The Senate has also passed engrossed bill of the House with amendments, entitled as follows, to-wit:

No. 238. An act to raise revenue for state purposes, and to redeem Treasury Notes;

With two amendments.

The Senate agrees to amendment of the House to engrossed bills of the Senate:

No. 94. An act authorizing and directing supervisors of public roads and highways to make their returns to the boards of commissioners of their respective counties at the June term thereof;

No. 111. An act to relocate the seat of justice of Noble county.

The House of Representatives is respectfully requested to return to the Senate, engrossed bill of the Senate No. 106.

Bills of the Senate, in said message mentioned, numbered 182, 177, 180, 202, 201, and 199,

Were read three several times and passed.

Ordered, That the clerk inform the Senate thereof.

The amendments of the Senate to bill of the House No. 238, were read, when

Mr. Palmer moved to concur in the first amendment of the Senate with the following amendment, to-wit:

Strike out "one cent" and insert "one half cent;"

Which amendment to said amendment of the Senate was adopted.

The second amendment of the Senate to said bill of the House in said message mentioned, was then concurred in.

Ordered, That the Senate be informed thereof.

No. 177. Of the Senate, in said message mentioned,

Was then read a first and second times, (the rule being suspended therefor,) when

Mr Macy moved to amend by adding the following as an additional section:

Sec. —. That the corporate authorities of the town of Lawrenceburgh, be and they are hereby authorized and empowered to levy and collect a special tax for the year 1844, on all real and personal property within said town, not exceeding one half per cent. on its valuation, including improvements; the tax so raised to be expended in repairing the court house now standing on the public square in the old town of Lawrenceburgh, and erecting a fire proof clerk's office and recorder's office on said public square;

Which amendment was adopted.

The rule was further suspended and the amendment considered as engrossed and read a third time and passed.

Ordered, That the Senate be informed thereof.

Mr. Roberts of Putnam, from a committee of free conference, made the following report:

Mr. Speaker:

The committee of free conference to which was referred Senate bill entitled

No. 13. A joint resolution explanatory of an act entitled "An act for the relief of Jesse J. Burton and Joseph Luther," approved Feb. 2d, 1843, and an act entitled "An act for the relief of Nathan Burchfield," approved Feb. 11th, 1843, and for other purposes;

Have met with the joint committee on the part of the Senate, have conferred, and agreed upon the following compromise amendment:

Insert that Joseph H. Hendricks shall draw from the suspended debt fund, pro rata, for one half of his claim now allowed by the State, and no more;

Which, after some discussion thereon, decided to be out of order, both members of the committee on the part of the House not having agreed to the report, Mr. Barbour, in his place in the House, dissenting therefrom.

Mr. Ferry, from the committee of free conference on that subject, made the following report:

Mr. Speaker:

The committee of free conference on the part of each House to which was referred the disagreement to the amendment of the House to the engrossed bill of the Senate entitled

No. 8. An act to incorporate the University of Notre Dame du Lac;

Have had such disagreement under consideration and have directed me to report the following amendment and ask the concurrence of the House therein, to-wit:

Add, after the word "time," in the third line of the second section of said bill, the words "After two years and a half shall have elapsed," and also add, "*Provided*, That a repeal of said act shall not operate so as to divest the owners thereof of any property acquired under said act."

Which report was concurred in by the House, and said amendment adopted.

Ordered, That the Senate be informed thereof.

A message was received from the Senate by Mr. Otto, their Secretary:

Mr. Speaker:

I am directed by the Senate to inform the House that the Senate insists on its amendment to bill of the House entitled

No. 238. A bill to raise revenue for state purposes, and to redeem treasury notes;

Which amendment proposes to levy a tax of one cent on the hundred dollars, to be applied to the erection of a lunatic asylum; and Messrs. Cornett and Dobson are appointed a committee of free conference on the part of the Senate to act with a similar committee on the part of the House in reference to said amendment.

Mr. Simonson moved that the House recede from its said amendment in said message mentioned;

Which motion prevailed.

Ordered, That the clerk inform the Senate thereof.

A message was received from the Senate by Mr. Orth, a Senator:

Mr. Speaker:

I have been directed to inform the House of Representatives that the Senate insists on its disagreement to the amendment of the House to joint resolution of the Senate entitled

No. 173. A joint resolution suspending a certain act therein named;

Striking therefrom the county of Tippecanoe; and have appointed Messrs. Orth and Chapman a committee of free conference on the part of the Senate.

Whereupon, on motion, the House continued to insist on its said amendment to the bill of the Senate in said message mentioned; and

The Chair appointed Messrs. Clark of Tippecanoe and O'Neal a committee of free conference on the part of the House.

Ordered, That the clerk inform the Senate thereof.

Mr. Lee of Posey, seconded by Mr. Williamson, now appealed from the decision of the chair on the point of order, whereby the report made by Mr. Roberts of Putnam, from the committee of free conference appointed to take into consideration the disagreement between the two Houses on joint resolution of the Senate No. 13, where the Speaker decided that the introduction of said report was not in order; and

The question being put,

Shall the decision of the chair stand as the judgment of the House?

And the ayes and noes being demanded thereon by Messrs. Lee of P. and Roberts of P.

Those who voted in the affirmative are,

Messrs. Athon, Barbour, Bearss, Blakemore, Boone, Burton, Chapman, Clark of Tippecanoe, Coffin, Cowen, Cuppy, Edger, Elder, Engle, Ferry, Ford, Gilbert, Gregory, Hardin, Harris. Harrison, Hodges, Hostetter, James, Jones of Fountain, Jones of Franklin, Kelly, Kerr, Lee of Jefferson, Logan of Pike, Logan of Washington, Macy, McAlister, McClure, McConnell, McDonald, McRae, Mickle, Miller of Crawford, Montague, Moore, Morgan, Nees, Norvell, Nutter, O'Neal, Palmer, Parker, Rich, Robbins, Saffer, Seller, Simonson, Spicknall, Sutherland, Turman, Verbrike, Williams, Wolfe, and Wright.—60.

Those who voted in the negative are,

Messrs. Allen of Putnam, Barrett, Clark of Hamilton, Foley, Huddleston, Hurlbut, Lee of Posey, Montgomery, Roberts of Laporte, Roberts of Putnam, Smith, Tevis, and Williamson—13.

So the decision of the chair stands as the judgment of the House.

Mr. Gregory thereupon moved that the committee of free conference on the part of the House be discharged, they having failed to agree on a report, and that a second committee of free conference be appointed;

Which motion prevailed.

Whereupon the chair appoined Messrs. Clark of T. and Engle said committee on the part of the House;

Ordered, That the clerk inform the Senate thereof.

The Speaker laid before the House the following communication from His Excellency the Governor:

EXECUTIVE CHAMBER, }
January 12th 1844. }

To the Hon. the Speaker of the

House of Representatives:

SIR:—I have the honor herewith to transmit for the consideration of the Legislature a communication from Silas Wood, Esq., of New York, enclosing the copy of a letter from the same of the 15th of August, last, to my predecessor, and accompanied by the copy of a memorial of John Ward, & Co., and others representing themselves to be owners of bonds of the State of Indiana, also alleged by the writer to have been sent to my predecessor; and all referring to the claims of alleged holders of our State bonds, and asking for provision to be made towards the payment of interest thereon by the State.

I have the honor to be,
Very respectfully,
Your ob't. serv't.
JAS. WHITCOMB.

Ordered, That the accompanying documents be laid on the table, and that the same be printed in the Documentary Journal of this House.

The Speaker also laid before the House the following communication from His Excellency the Governor:

EXECUTIVE CHAMBER,
Jan. 13*th*, 1844.

To the Hon. the Speaker of the

House of Representatives:

SIR:—I have the honor to transmit herewith a resolution of the Legislature of South Carolina, in relation to the annexation of Texas to the Union; communicated to me by the Executive of that State.

This communication had been casually mislaid in the hurry of official business towards the close of the session, which has occasioned the delay of a few days in its presentation. This delay, however, has occasioned the less regret, from the fact that the same subject has already been before the House at the present session.

Very respectfully,
Your ob't. servant,
JAS. WHITCOMB.

The said resolution in the above communication was laid on the table.

The following message was received from the Senate by Mr. Otto, their Principal Secretary:

MR. SPEAKER:

The Senate has passed engrossed bills of the House without amendment, entitled as follows, to-wit:

No. 255. An act to authorize the auditor of Hendricks county to become the purchaser of real estate in certain cases therein named;

No. 343. An act for the relief of the heirs of Samuel Howard;

No. 328. An act to authorize the township trustees of town 25, range 2 west, to lease the school lands belonging to the school section of said township, in Carroll county;

No. 361. An act to provide for summoning petit jurors in Lagrange circuit and probate courts;

No. 338. An act to incorporate the Richmond turnpike company, and for other purposes;

No. 357. An act for the relief of purchasers of school lands in Monroe county;

No. 348. An act to provide for the election of a school commissioner in Russell township, Putnam county;

No. 345. An act to amend an act entitled "An act to provide for the payment of expenses incurred for the protection of the school fund, and for other purposes," approved Feb. 11, 1843;

No. 333. An act the better to improve the leading roads in the counties of Allen, DeKalb, Noble, Huntington, and Wells;

No. 342. An act to reduce the prices paid for ferriages in Lawrence county;

No. 358. An act to exclude certain real estate from the incorporation of Michigan city, and to vacate an addition to said city;

No. 332. An act to locate a state road in the county of Allen;

No. 392. An act to locate a certain state road therein named;

No. 397. An act to declare a certain road therein named a state road, in Wabash county;

No. 407. An act permitting a dry dock at Wabash;

No. 406. An act for the relief of Aquilla Rogers, agent of the three per cent fund of Monroe county;

No. 404. An act to change a certain part of a state road in Clay county;

No. 402. An act to locate a state road in the counties of Porter and Lake;

No. 237. An act to incorporate the Warren county canal company;

No. 335. An act relative to certain public ground in the town of Wabash, and the use and improvement of the water power at the lock on the Wabash and Erie canal, at said town;

No. 368. An act to locate certain state roads therein named, and for other purposes;

No. 337. An act to establish a state road from Little York, in Washington county, to New Providence, in Clark county;

No. 262. An act in relation to awards;

No. 340. An act to vacate a part of the town of Independence, in the county of Warren;

Also, the following engrossed joint resolution of the House, entitled as follows, to-wit:

No. 400. A joint resolution providing that each member of this General Assembly shall be entitled to a copy of the Revised laws of this State.

The following message was received from the Senate by Mr. Otto, their Secretary:

Mr. Speaker:

The Senate have passed engrossed bills thereof of the following titles:

No. 97. An act providing for the repair of roads in certain cases;

No. 175. An act repealing all laws now in force providing for a more uniform mode of doing township business in Miami county;

No. 185. An act for the relief of the securities of William Johnson, late collector of Sullivan county;

No. 187. An act to amend the 110th section of the 13th chapter of the Revised Statutes, approved February 11th, 1843.

No. 188. An act to authorize the board doing county business in the county of Perry, to make settlement with John Elder, former surplus revenue agent of said county;

No. 195. An act to incorporate St. Mary's Seminary, in the town of Indianapolis;

No. 190. An act regulating the time of holding courts in the county of Tippecanoe;

No. 152. An act for the relief of the boatmen on the Wabash and Erie Canal, and for the establishment of a medical infirmary;

No. 193. An act to establish a state road from Crown Point in the county of Lake, to Michigan city in the county of Laporte;

No. 194. An act providing for the payment of certain claims due Samuel Myers, Alfred Makepeace, and William Young;

The Senate has also passed engrossed bills of the House, without amendment, entitled as follows, to-wit:

No. 205. An act for the relief of John Law, Lucius H. Scott, and the heirs of James B. McCall;

No. 56. An act converting the moneys arising from the sales of estrays, and property taken up adrift, into the common school fund;

No. 156. An act extending certain laws therein named, to the county of Randolph;

No. 140. An act to legalize the acts of the school commissioner in Martin county;

No. 231. An act to improve the navigation of Sugar creek;

No. 215. An act relative to a state road in Steuben county;

No. 216. An act for the relief of Thomas C. Stewart of Pike county;

No. 112. An act to provide for a more uniform mode of doing township business in the county of Hamilton;

No. 105. An act to amend an act entitled "An act relating to the seminary fund in Cass county;"

No. 139. An act to amend an act to provide for the collection of the debt due from the Lawrenceburgh and Indianapolis Railroad Company;

No. 124. An act to apply saline funds to common school purposes;

No. 160. An act to limit the trustees of Evansville to certain tax, etc.;

No. 214. An act for the relief of the heirs of George Bishop, late of the county of Jay, deceased;

No. 152. An act extending the provisions of a certain act therein named to the county of Spencer;

No. 146. An act appointing the board of county commissioners of Carroll county, the seminary trustees of said county seminary;

No. 193. An act to improve the breed of sheep;

No. 242. An act for the relief of Samuel W. Sprott, against an unjust prosecution in the county of DeKalb;

No. 226. An act to amend an act entitled "An act to establish and regulate ferries," approved Feb. 10th, 1831;

No. 154. An act for the better regulation of the county board in the county of Warrick;

No. 145. An act relative to the practice in the circuit court;

No. 31. An act to locate a state road in the county of Daviess;

No. 208. An act to legalize the acts of the school commissioner of Benton county;

No. 292. An act to vacate a part of a state road in Putnam county;

No. 213. An act to authorize Job Meredith to build a mill dam across Tippecanoe river;

No. 596. An act to provide for the election of supervisors of roads by road districts, in Boone county:

No. 277. An act for the relief of David D. Weddle, of Brown county;

No. 225. An act to change the mode of selecting seminary trustees in the county of Lawrence, and for other purposes;

No. 144. An act to reduce the tolls on the New Albany and Vincennes road, and for other purposes;

No. 185. An act authorizing the location of a state road in the county of Allen;

No. 132. An act to amend an act to incorporate the Logansport and Wabash Bridge Company;

No. 79. An act authorizing the school commissioner of Vanderburgh county to refund certain moneys;

No. 186. An act to change the name of Rachel Will;

No. 312. An act to legalize the proceedings of the trustees of Wolfe creek Baptist Church in Boone county;

No. 19. An act to vacate a state road therein named;

No. 211. An act to provide for keeping in repair the turnpike road from Lafayette to Crawfordsville;

No. 206. An act amending the criminal law;

No. 236. An act to change the name of Black Hawk, to that of Mount Auburn;

No. 200. An act to extend the time of holding probate courts in Dearborn county;

No. 76. An act to relocate a state road in Sullivan county;

No. 197. An act to give effect to an act therein named;

No. 172. An act granting certain lands to the board of commissioners of Lake county, for a burying ground;

No. 175. An act appointing commissioners to locate a state road from Portland in Jay county, to Hartford in Blackford county;

No. 219. An act in relation to school district No. 5, in township 37 north, range 3 west, in Laporte county;

No. 217. An act to change the mode of selecting petit jurors in Blackford county;

No. 184. An act regulating the selecting of grand jurors in Randolph county;

No. 161. An act to legalize the records of roads and highways in the county of Clay;

No. 135. An act to suspend the further issue of five dollar treasury notes in lieu of fifties;

No. 243. An act in relation to road tax in the county of Elkhart;

No. 244. An act declaratory of the law in a special case in Fayette county;

No. 253. An act to vacate the the town of West Pont in Lake county;

No. 247. An act for the relief William B. Townshend, of Clay county;

No. 191. An act to amend an act granting to the citizens of Madison and the town of Lawrenceburgh, a city charter;

Also, engrossed joint resolutions of the House of the following titles, to-wit:

No. 1. A memorial and joint resolution on the subject of the Cumberland Road;

No. 59. A joint resolution on the subject of reducing the salaries and pay of officers of the General Government.

The Senate has also passed engrossed bills of the House of the following titles, with amendments, to-wit:

No. 102. An act for the relief of Peter Everhart;

With two amendments.

No. 96. An act to exempt certain lands in the counties of Randolph and Delaware from taxation;

With two amendments;

No. 103. An act for the relief of Samuel Rockafeller, in Franklin county;

With one amendment;

No. 259. An act to provide for the erection of a bridge across French Lick Creek in the county of Orange;

With two amendments;

No. 29. An act postponing the time for the payment of taxes;

With one amendment;

No. 24. An act to amend an act entitled "An act to incorporate the Lawrenceburgh and Napoleon Turnpike Company," approved February 18th, 1840;

With two amendments;

No. 269. An act to provide for a more efficient mode of expending the road tax in the several counties therein named;

With one amendment;

No. 293. An act regulating the fees of auditor in the county of Randolph;

With three amendments;

No. 278. An act in relation to a state road in Monroe county, and for other purposes;

With one amendment;

No. 202. An act in relation to tavern licenses in Carroll county;

With two amendments;

No. 192. An act to amend an act entitled "An act to incorporate the Vevay and Napoleon and other Turnpike Companies," approved February 8th, 1836;

With two amendments;

No. 207. An act relative to overseers of the poor;

With one amendment;

Also, the following engrossed joint resolutions of the House of the following titles, with amendments, to-wit:

No. 318. A joint resolution on the subject of the French Lick, in the county of Orange;

Wito two amendments;

No. 325. A joint resolution providing for the compensation of the Revisors;

With one amendment.

The Senate has concurred in the amendments of the House of Representatives to engrossed bills of the Senate of the following titles:

No. 9. An act to incorporate "The Brothers of St. Joseph," at South Bend, St. Joseph county, Indiana;

No. 14. An act to provide for summoning grand and petit jurors in Decatur county;

No. 24. An act to vacate a state road in the county of Lawrence;

No. 32. An act to vacate the western addition to the town of Palmyra, in the county of Harrison;

No. 18. An act for the relief of purchasers of school lands;

No. 29. An act to amend an act allowing and regulating the writ of ad quod damnum;

The Senate have disagreed to the amendments of the House of Representatives to engrossed bills of the Senate, to-wit:

No. 21. An act in relation to the sale of lands and town lots for delinquent taxes;

His Excellency the Governor has notified the Senate that he did on the 12th inst., approve and sign the following acts and joint resolutions:

No. 57. An act authorizing the recorder of Lagrange county to perfect the records of Lagrange county;

No. 15. An act to change the names of George R. Selkregg and others;

No. 37. An act to repeal an act therein named;

No. 42. An act to revive the first section of an act entitled "An act authorizing the appointment of Pilots at the falls of the Ohio, in this State," approved February 8th, 1841;

No. 49. A joint resolution in relation to an appropriation on the National Road in Indiana;

No. 39. A joint resolution requesting the Governor of Indiana to communicate with the Governor of the State of New York, asking a drawback on salt delivered at any point on the Wabash and Erie Canal, within the state of Indiana;

No. 76. An act to establish an additional place of holding elections in Florida township, Parke county;

No. 44. An act to authorize the board of commissioners of Lagrange county to sell certain real estate therein named;

No. 62. An act to repeal an act entitled "An act to amend an act relating to public roads and highways, approved February 17th, 1838," approved January 29th, 1842;

No. 25. An act in relation to the auditor of the county of Knox.

No. 152, (of the Senate,) in said message mentioned,

Was read three several times and passed.

Ordered, That the clerk inform the Senate thereof.

No. 97, (of the Senate,) in said message mentioned,

Was read a first and second times, the rules being suspended therefor, and laid on the table.

Mr. Palmer moved to reconsider the vote just taken on laying the said bill on the table;

Which motion prevailed.

The question then being,

Shall the said bill be laid on the table?

It was decided in the negative; when

Mr. Palmer moved to suspend the rule and read the bill a third time now;

And the ayes and noes having been demanded thereon by Messrs. Parker and Nutter,

Those who voted in the affirmative are,

Messrs. Allen of Putnam, Barbour, Bowles, Burton, Chapman, Clark of Tippecanoe, Engle, Ferry, Garrett, Hardin, Helwig, Hiatt, Hostetter, Jones of Franklin, Kelly, Kerr, Lee of Posey, Logan of Pike, Logan of Washington, McAllister, McConnell, McDonald, McRae, Mickle, Montgomery, Mooney, Moore, Morgan, Nees, Norvell, O'Neall, Palmer, Rich, Roberts of Putnam, Turman, Williams, and Wright.—38.

Those who voted in the negative are,

Messrs. Allen of Laporte, Athon, Barrett, Bearss, Blakemore, Boone, Byers, Clark of Hamilton, Conner, Cuppy, Elder, Foley, Ford, Gorman, Hannah, Harris, Harrison, Hobbs, Hodges, Holloway, Huddleston, Hurlbut, Lee of Jefferson, Macy, McClure, Miller of Vanderburgh, Montague, Nutter, Parker, Roberts of Laporte, Seller, Simpson, Smith, Sutherland, Tevis, Verbrike, Williamson, Wolfe, and Mr. Speaker.—38.

So the rule was not suspended.

The bill was then ordered to a third reading on to-morrow.

The amendments of the Senate to engrossed bills of the House in the said message mentioned, No. 192, 267, 96, 293, 269, 29, 325, 103, 24, 102, were severally concurred in.

Ordered, That the clerk inform the Senate thereof.

The amendments of the Senate to engrossed bills No. 202 and 318, of the House, were not concurred in.

Ordered, That the clerk inform the Senate thereof.

The amendment of the Senate to bill No. 273, of the House, was concurred in with an amendment.

Ordered, That the clerk inform the Senate thereof.

The House concurs in the first amendment of the Senate to No. 250, in said message mentioned, but refuses to concur in the second amendment.

Ordered, That the Senate be informed thereof.

Bills of the Senate in said message mentioned, No. 194, 193, 190, 298, 183, 186, and 175,

Were read three several times, the rule being suspended therefor, and passed.

Ordered, That the clerk inform the Senate thereof.

No. 187, of the Senate, in the said message mentioned,

Was read a first time, and, on motion, was rejected.

The following message was received from the Senate by Mr. Otto, their Principal Secretary:

Mr. Speaker:

The Senate have receded from their fourth amendment to the engrossed bill of the House of Representatives of the following title:

No. 180. An act abolishing the office of county auditor in certain counties therein named.

They have likewise receded from their second amendment, so far as the county of Carroll is concerned, but they insist upon their said amendment so far as the same relates to the county of Union;

The Senate have received a communication from His Excellency, the Governor, dated this day, in reference to bill of the Senate

No. 57. An act authorizing the recorder of Lagrange county to perfect the records of said county;

Which said bill was reported to the Senate as having passed this House.

The Senate have directed the Secretary of State to return the enrolled bill to the Senate.

I herewith, by direction of the Senate, return to this House the engrossed bill of the Senate, and withdraw so much of the message this day reported as notifies this House that His Excellency the Governor had approved and signed said bill.

So much of the message of the Governor to the Senate as relates to his signing and approving said bill has been returned to him, by the direction of the Senate.

On motion of Mr. Nutter,

The house insists on its amendment to the amendment of the Senate to bill of the House No. 180, in said message mentioned.

Messrs. Nutter and Dowling are appointed a committee of free conference on the part of the House.

Ordered, That the Senate be informed thereof.

Then, on motion,

The House adjourned till half past 6 o'clock, P. M.

Half past 6 o'clock P. M.

The House met.

On motion of Mr. Gilbert,

No. 43, of the Senate, on the subject of the advertising of notices of sales of delinquent lands;

Was taken from the table and read a second time, when

Mr. Engle moved to amend so that the the county board shall decide whether the delinquent lists should be published in a newspaper or not, in the county of Montgomery;

The amendment of Mr. Engle was amended by inserting after the word "Montgomery," the counties of Whitley, Vermillion, Tippecanoe, Jennings, Scott, Lagrange, and Spencer;

Mr. Sutherland moved thut Mr. Engle's amendment should apply to the county of Marion;

Which motion prevailed.

Mr. Norvell moved to lay said bill and proposed amendment on the table;

And the ayes and noes being demanded thereon by Messrs. Norvell and Harrison:

Those who voted in the affirmative are,

Messrs. Barbour, Bowles, Burton, Byers, Coffin, Cowen, Elder, Ferry, Gorman, Gregory, Hannah, Hardin, Harris, Helwig, Holloway, James, Jones of Fountain, Jones of Franklin, Keimer, Kelly, Kerr, Lee of Posey, Logan of Washington, Macy, McDonald, Miller of Vanderburgh, Montgomery, Mooney, Morgan, Norvell, Simonson, Spicknall, Sutherland, Wolfe, Wright, and Mr. Speaker.—34.

Those who voted in the negative are,

Messrs. Allen of Putnam, Bearss, Blakemore, Boone, Chapman, Clark of Hamilton, Clark of Tippecanoe, Cuppy, Edger, Foley, Ford, Forseman, Garrett, Gilbert, Harrison, Hobbs, Hodges, Hostetter, Huddleston, Hurlbut, Lee of Jefferson, Logan of Pike, McAlister, McClure, McConnell, McRae, Montague, Nees, O'Neal, Parker, Rich, Robbins, Roberts of Putnam, Seller, Shelby, Simpson, Smith, Turman, Verbrike, Williams, and Williamson.—39.

So said motion did not prevail.

Mr. Parker moved to amend said bill by striking it out from the enacting clause and inserting a substitute, providing that publication

shall be made in newspapers or manuscript advertisements in such counties as the county boards may agree upon, provided the expense shall not exceed $75 00.

Mr. Huddleston moved to strike out from said amendment, the word "75" and insert 50;

Which motion did not prevail.

Mr. Foley moved to amend said amendment so as to except from its provisions such counties where printed notices are now required by law;

Which amendment was adopted.

Mr. Jones of Fountain moved further to amend said amendment by striking out $75 00 and inserting one dollar per square for the first three weeks, and twenty-five cents for each additional week;

Which amendment was not adopted.

Mr. Dowling moved further to amend by providing that the price allowed shall not exceed seventy-five cents per square for the first three insertions, and twenty-five cents for the fourth insertion;

Which amendment was not adopted.

The question recurring on the adoption of Mr. Parker's amendment as amended;

It was decided in the affirmative.

Mr. Hurlbut then moved to except from its provisions the county of St. Joseph;

Mr. McDonald moved the previous question;

Which was seconded by the House.

The question being, Shall the main question be now put?

It was decided in the affirmative.

The main question was put, to-wit:

Shall the amendment be considered as engrossed, and with the bill read a third time now?

Which motion was decided in the affirmative.

The bill was then read a third time and passed.

Ordered, That the Senate be informed thereof and its concurrence requested.

Mr. Conner, from the committee on enrolled bills, made the following report:

Mr. Speaker:

The joint committee on enrolled bills, have compared the following enrolled with the engrossed bills of the House, and find them correctly enrolled, to-wit:

No. 120. An act to provide for the relocation of the seat of justice in the county of Martin;

No. 6. An act to abolish the office of county auditor, in the county of Warrick;

No. 109. An act changing the name of Henry Howell to Henry Rittenour;

No. 113. An act to amend an act to authorize the commissioners of Elkhart, Kosciusko, and Whitley counties to equalize the appraisement of real estate in said counties, approved Feb. 13, 1843;

No. 106. An act for the encouragement of domestic manufactures;

No. 276. An act declaring a misprint in the Revised Statutes of 1843;

No. 224. An act for the relief of justices of the peace;

No. 133. An act changing the application of water power at the St. Mary's aqueduct, on the Wabash and Erie canal;

No. 284. An act to locate a state road between the counties of Lagrange, Stuben, Noble, and DeKalb;

No. 282. An act regulating the road law in the county of Warrick;

No. 117. An act correcting a discrepency in the estray law;

No. 52. An act concerning marks and brands;

No. 289. An act in relation to a road tax in the town of Laporte;

No. 201. An act to incorporate the Porter county manufacturing company;

No. 50. An act to vacate the town plat of the town of Lagrange, in Lagrange county;

No. 86. An act extending the provisions of an act entitled an act to amend an act entitled "An act to provide for a more uniform mode of doing township business in the several counties therein named," approved Feb. 17th, 1838, approved Feb. 11th, 1843, to the county of Kosciusko;

No. 18. An act for the protection of wild fruit growing on public lands in the counties of Lake, Porter, Laporte, St. Joseph, Marshall, Fulton, and Kosciusko;

No. 34. An act regulating the boundaries of the counties of Warrick and Gibson;

No. 194. An act declaring a certain road therein named a state road;

The committee have also examined the following joint resolutions, and find them correctly enrolled, to-wit:

No. 2. A joint resolution in relation to refunding the fine imposed upon General Andrew Jackson by Judge Hall, and for other purposes;

No. 14. A joint resolution on the subject of postage;

No. 297. A joint resolution respecting the state prison;

Whereupon the Speaker signed the same.

Ordered, That the clerk carry the same to the Senate for the signature of the President thereof.

Mr. Conner on enrolled bills, made the following report:

Mr. Speaker:

The committee on enrolled bills have presented to His Excellency the Governor for his approval, bills of the following titles, to-wit:

No. 213. An act to authorize Job Meredith to build a mill dam across Tippecanoe river;

No. 236. An act changing the name of the town of Black Hawk in Shelby county, to that of Mount Auburn;

No. 214. An act declaratory of the law in a special case in Fayette county;

No. 292. An act to vacate a part of a certain state road in Putnam county;

No. 312. An act to legalize the proceedings of the trustees of the Wolf Creek Baptist church in Boone county;

No. 15. A joint resolution on the subject of the Oregon Territory;

No. 243. An act in relation to road tax in Elkhart county;

No. 277. An act for the relief of David D. Weddle of Brown county;

No. 253. An act to vacate the town of West Point, in Lake county;

No. 217. An act to change the mode of selecting petit jurors in and for the county of Blackford;

No. 215. An act to locate a state road in Steuben county;

No. 185. An act authorizing the location of a state road in the county of Allen;

No. 184. An act regulating the selecting grand and petit jurors in the county of Randolph;

No. 175. An act appointing commissioners to locate a state road from Portland in Jay county, to Hartford in Blackford county;

No. 147. An act to reduce the salary of the clerk of the State prison;

No. 211. An act to provide for keeping in repair the road from Lafayette to Crawfordsville.

Mr. Conner, from the committee on enrolled bills, made the following report:

Mr. Speaker:

The committee on enrolled bills, have compared the following enrolled with the engrossed bill of the House, to-wit:

No. 354. An act to reduce the expenditures of the county of Carroll;

And find the same correctly enrolled.

Whereupon the Speaker signed the said bill.

Ordered, That the clerk carry the same to the Senate for the signature of the President thereof.

Mr. Conner, from the committee on enrolled bills, made the following report:

MR. SPEAKER:

The committee on enrolled bills have examined the following enrolled with the engrossed bills of the House, and find them correctly enrolled, to-wit:

No. 56. An act converting the moneys arising from the sales of estrays, and property taken up adrift, into the common school fund;

No. 145. An act relative to the practice in the circuit court;

No. 154. An act for the better regulation of the county board in the county of Warrick;

No. 195. An act to improve the breed of sheep;

No. 124. An act to apply saline funds to common school purposes;

No. 139. An act to amend an act entitled "An act to provide for the collection of the debt due from the Lawrenceburgh and Indianapolis rail road company;

No. 112. An act to provide for a more uniform mode of doing township business in the county of Hamilton;

No. 152. An act extending the provisions of a certain act therein named to the county of Spencer;

No. 160. An act to limit the trustees of Evansville to a certain tax;

No. 214. An act for the relief of the heirs of George Bishop, late of the county of Jay, deceased;

No. 105. An act to amend an act entitled "An act relating to the seminary fund in Cass county;

No. 140. An act to legalize the acts of the school commissioners in Martin county;

No. 146. An act appointing the board of county commissioners of Carroll county the seminary trustees of said county seminary;

No. 156. An act extending certain laws therein named to the county of Randolph;

No. 205. An act for the relief of John Law, Lucius H. Scott, and the heirs of James B. McCall.

Whereupon the Speaker signed the said enrolled acts.

Ordered, That the clerk report the same to the Senate for the signature of the President thereof.

Mr. Conner, from the committee on enrolled bills, made the following report:

MR. SPEAKER:

The committee on enrolled bills have examined the following enrolled with the engrossed bills of the House and find them correctly enrolled, to-wit:

No. 79. An act authorizing the school commissioner of Vanderburgh county to refund certain moneys;

No. 191. An act to amend an act entitled "An act granting to the citizens of Madison and the town of Lawrenceburgh a city charter;

No. 216. An act for the relief of Thomas C. Stewart of Pike county;

No. 226. An act to amend an act entitled "An act to establish and regulate ferries," approved Feb. 10, 1831;

No. 247. An act for the relief of William B. Townsend of Clay county;

No. 242. An act for the relief of Samuel W. Sprott, against an unjust prosecution in the county of DeKalb;

No. 161. An act to legalize the records of roads and highways in the county of Clay;

No. 135. An act to suspend the further issuse of $5 Treasury Notes in lieu of $50;

No. 172. An act granting certain land to the board of commissioners of Lake county for a burying ground;

No. 186. An act to change the name of Rachael Will;

No. 208. An act to legalize the acts of the school commissioner of Benton county;

No. 206. An act amending the criminal law;

No. 200. An act to extend the time of holding probate courts in Dearborn county;

No. 197. An act to give effect to an act therein named;

No. 31. An act to locate a state road in Daviess county;

No. 290. An act incorporating the Delphi water works;

No. 54. An act to declare the Mississinewa river a public highway;

No. 76. An act to re-locate a state road in Sullivan county;

No. 231. An act to improve the navigation of Sugar creek;

No. 319. An act to provide for the loaning of the school funds in Vigo county;

They have also examined the following memorial and joint resolution, and find it correctly enrolled, to-wit:

No. 1. A memorial and joint resolution on the subject of the Cumberland road.

Thereupon the Speaker signed the said enrolled acts.

Ordered, That the clerk report them to the Senate for the signature of the President thereof.

Mr. Conner, from the committee on enrolled bills, made the following report:

Mr. Speaker:

The committee report that they did on the 13th day of January 1844, deliver to His Excellency the Governor for his approval, bills of the following titles, to-wit:

No. 54. An act to declare the Mississinewa river a public highway;

No. 76. An act to change a state road in Sullivan county;

No. 290. An act incorporating the Delphi water works' company;

No. 31. An act to locate a state road in Daviess county;

No. 319. An act providing for the loaning of the school fund in Vigo county;

No. 231. An act to improve the navigation of Sugar creek;

No. 216. An act for the relief of Thomas C. Stewart of Pike county;

No. 242. An act for the relief of Samuel W. Sprott, against an unjust indictment, in the county of DeKalb;

No. 79. An act to authorize the school commissioner of Vanderburgh to refund certain moneys;

No. 144. An act to reduce the tolls on the New Albany and Vincennes road, and for other purposes;

No. 191. An act to amend an act entitled "An act granting the citizens of Madison and the town of Lawrenceburgh a city charter;

No. 208. An act to legalize the acts of school commissioner of Benton county;

No. 206. An act to amend the criminal law;

No. 200. An act to extend the time of holding probate courts in Dearborn county;

No. 197. An act to give effect to an act entitled "An act to restrict the county commissioners in the counties of Allen, Laporte, Wells, Huntington, Adams, and Jay," approved Jan. 13, 1843,

No. 186. An act to change the name of Rachel Will;

No. 172. An act granting certain lands to the commissioners of Lake county to be used as a burying ground;

No. 135. An act to suspend the further issue of $5 Treasury Notes in lieu of $50;

No. 161. An act to legalize the records of roads and highways in the county of Clay;

No. 247. An act for the relief of William B. Townsend of Clay county;

No. 226. An act to amend an act entitled "An act to establish and regulate ferries," approved Feb. 10, 1831;

Also, the following joint resolution:

No. 1. A joint resolution on the subject of the Cumberland road.

Mr. Conner, from the committee on enrolled bills, made the following report:

Mr. Speaker:

The committee on enrolled bills did, on the 12th day of January, present to His Excellency the Governor, for his approval, a bill of the following title, to-wit:

No. 120. An act to provide for the re-location of the seat of justice in the county of Martin;

Also, the following joint resolution:

No. 2. A joint resolution in relation to refunding the fine imposed upon General Andrew Jackson, by Judge Hall, and for other purposes;

No. 14. A joint resolution on the subject of postage.

Mr. Conner also made the following report:

Mr. Speaker:

The committee on enrolled bills have examined the following enrolled with the engrossed bills of the House, and find them correctly enrolled, to-wit:

No. 213. An act to authorize Job Meredith to build a mill dam across Tippecanoe river;

No. 236. An act to change the name of Black Hawk to that of Mount Auburn;

No. 243. An act in relation to the road tax in the county of Elkhart;

No. 312. An act to legalize the proceedings of the trustees of Wolf creek Baptist church, in Boone county;

No. 292. An act to vacate a part of a state road in Putnam county;

No. 244. An act declaratory of the law in a special case in Fayette county;

No. 277. An act for the relief of David D. Weddle of Brown county;

No. 253. An act to vacate the town of West Point in Lake county;

No. 215. A bill relative to a state road in Steuben county;

No. 211. An act to provide for keeping in repair the turnpike road from Lafayette to Crawfordsville;

No. 217. An act to change the mode of selecting petit jurors in and for the county of Blackford;

No. 185. An act authorizing the location of a state road in the county of Allen;

No. 184. An act reglating the selecting grand jurors in Randolph county;

No. 175. An act appointing commissioners to locate a state road from Portland in Jay county, to Hartford in Blackford county;

No. 147. An act to reduce the salary of the clerk of the state prison;

They have also examined the following joint resolution, to-wit:

No. 15. A joint resolution on the subject of the Oregon Territory;

Whereupon the Speaker signed said enrolled acts.

Ordered, That the clerk report the same to the Senate for the signature of the President thereof.

The following message was received from the Senate by Mr. Otto, their Principal Secretary:

Mr. Speaker:

The Senate have passed engrossed bill of the House entitled as follows, to-wit:

No. 391. An act making specific appropriations for the year 1844, with sundry amendments;

In which I am directed to ask the concurrence of the House of Representatives.

Mr. Bowles moved to concur in the 1st amendment of the Senate, which strikes out $1,50 and inserts $2,00, as the compensation to be allowed per day to persons engaged in drawing up wood;

And the ayes and noes being demanded by Messrs. Roberts of P. and Hurlbut:

Those who voted in the affirmative are,

Messrs. Bowles, Coffin, Dowling, Elder, Ferry, Garrett, Gorman, Harris, Hostetter, Huddleston, James, Jones of F., Kerr, Lee of P., McAlister, McClure, McDonald, McRae, Miller of Vanderburgh, Mooney, Moore, O'Neal, and Turman—23.

Those who voted in the negative are,

Messrs. Allen of Laporte, Allen of Putnam, Athon, Barbour, Barrett, Bearss, Blakemore, Boone, Burton, Byers, Clark of Hamliton, Clark of Tippecanoe, Cowen, Cuppy, Engle, Edger, Ford, Forseman, Gilbert, Gregory, Hannah, Hardin, Harrison, Hiatt, Hobbs, Hodges, Holloway, Hurlbut, Jones of Fountain, Kelly, Lee of Jefferson, Logan of Pike, Logan of Washington, Macy, McConnell, Montague, Montgomery, Morgan, Nees, Norvell, Nutter, Palmer, Parker, Reed, Rich, Robbins, Roberts of Laporte, Roberts of Putnam, Seller, Shelby, Simonson, Simpson, Smith, Spicknall, Sutherland, Tevis, Verbrike, Williams, Williamson, Wolfe, Wright, and Mr. Speaker. —61.

So the said amendment was not concurred in.

The 2d, 3d, 5th, and 6th amendments of the Senate to blll of the House No. 391, in said message mentioned, were concurred in.

The House refused to concur in the 4th amendment to the said bill mentioned in said message, to-wit:

Striking out the allowances made for newspapers by the House;

Ordered, That the clerk inform the Senate thereof.

The following message was received from the Senate by Mr. Otto, their Principal Secretary:

Mr. Speaker:

The Senate has passed engrossed bill thereof of the title following to-wit:

No. 205. An act supplemental to an act entitled "An act to repeal certain acts therein named, relative to Lick creek and Lost river," approved Jan. 13, 1844;

In which the concurrence of this House is respectfully requested.

I am directed to inform the House that the Senate recede from their 1st amendment to No. 391, an act making specific appropriations for the year 1844, but insist on their 4th amendment thereto, viz: striking out sections 24 and 25 of said bill.

Engrossed bill of the Senate No. 205, in said message mentioned,

Was read three several times, the rule being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

On motion,

The House insists on its disagreement to the 4th amendment of the Senate, to bill of the House No. 391, in said message mentioned;

Whereupon, the chair appointed Messrs. Norvell and Bowles a committee of free conference, to take into consideration the disagreement between the two Houses.

Ordered, That the Senate be informed thereof and a similar committee on their part requested.

The following message was received from the Senate by Mr. Otto, their Principal Secretary:

Mr. Speaker:

The Senate has passed engrossed bills of the House with amendments, of the following titles, to-wit:

No. 187. An act giving further time to the assessor of Montgomery county;

With two amendments.

No. 383. An act to repeal an act making it the duty of county auditors to publish delinquent lands in newspapers in counties therein named;

With one amendment.

No. 388. An act concerning certain indictments in Scott county;

With two amendments.

In which amendments the concurrence of this House is respectfully requested.

The amendment of the Senate to engrossed bill of the House No. 388, in said message mentioned, was not concurred in.

Ordered, That the clerk inform the Senate thereof.

The amendment of the Senate to engrossed bill of the House No. 187, in said message, was concurred in.

Ordered, That the clerk inform the Senate thereof.

Bill of the House No. 383, in said message mentioned, was laid on the table.

Mr. O'Neal, from a committee of free conference, made the following report, which was concurred in by the House, to-wit:

MR. SPEAKER.

The undersigned appointed a committee of free conference with a similar committee on the part of the Senate, to take into consideration the difference between the two Houses, on joint resolution No. 173, of the Senate, have had the subject of the difference under consideration, and report that the committee cannot come to any agreement on the subject and ask respectfully to be discharged.

Ordered, That the Senate be informed thereof.

Mr. Dowling, from a committee of free conference, made the following report:

MR. SPEAKER:

The committee of free conference, to which was referred bill of the House No. 180, with the subject of disagreement between the two Houses, have had the same under consideration, and have agreed to the following amendment of said bill: strike out the word "Union" in the second amendment of the Senate, and add the words "and Union" in the third amendment of the Senate, after the words "county of Orange;"

Said report was concurred in and the amendment adopted.

Ordered, That clerk inform the Senate thereof.

The following message was received from the Senate by Mr. Otto, its Principal Secretary:

MR. SPEAKER:

The Senate have disagreed to the amendments of the House of Representatives to an engrossed bill of the Senate, of the following title:

No. 174. An act to enable forwarding and commission merchants to enforce liens;

On motion,

The House insists on its said amendment to bill of the House No. 174, in said message mentioned.

Ordered, That the clerk inform the Senate thereof.

Mr. McDonald moved to take from the table No. 355, a bill to prevent the prosecution of individuals for certain acts therein named;

Which motion prevailed.

Mr. McDonald then moved to strike out the second section of said bill;

When Mr. Harrison moved to amend by giving persons the right to steal according to law;

When,

On motion,

The said bill and amendments were laid on the table.

The following message was received from the Senate by Mr. Defrees, a Senator:

Mr. Speaker:

The Senate has passed the engrossed bill of the House of Representatives, entitled:

No. 334. A bill to organize the counties of Tipton and Richardville;

With one amendment.

In which the concurrence of this House is respectfully requested.

The amendment of the Senate to engrossed bill of the House, No. 334, in said message mentioned, was concurred in.

Ordered, That the clerk inform the Senate thereof.

Mr. Gorman moved to re-consider the vote on the rejection of No. 135, of the Senate, a bill in relation to the auditor of Monroe county;

Which motion prevailed.

The said bill was then read a second time, when

Mr. Gorman moved to amend by striking out from the enacting clause and insert a substitute, providing that all laws and parts of laws now in force reducing the salary of the auditor of Monroe county to $250 be and the same are hereby repealed;

Which amendment was adopted.

The rule was then suspended and the amendment considered as engrossed, and the bill was read a third time and passed.

Ordered, That the clerk report the same to the Senate, and ask its concurrence in said amendment.

The Speaker, (Mr. Simonson in the chair,) moved to re-consider the vote taken on the engrossment of bill No. 393, of the House, a bill defining the duties of Treasurer of State;

Which motion prevailed.

The question again recurring on the engrossment of the bill;

Mr. Parker moved to re-consider the vote taken on the amendment of Mr. Simonson, on yesterday, which is to strike out of the bill all that relates to state scrip;

Which motion prevailed.

The speaker moved to amend by striking out from the enacting clause and inserting a substitute.

Mr. Rich moved to amend the amendment by excepting so much as makes the scrip to be paid out by the treasurer receivable for common school funds;

And the ayes and noes being demanded by Messrs. Rich and Hurlbut;

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Athon, Barbour, Barrett, Blakemore, Burton, Coffin, Cuppy, Elder, Engle, Foley, Gregory, Gorman, Hannah, Hardin, Harris, Harrison, Hiatt, Holloway, Huddleston, Hurlbut, Jones of Franklin, Kerr, Lee of Jefferson, McClure, McRea, Mickle, Montague, Mooney, Morgan, Nutter, O'Neall, Palmer, Rich, Roberts of Laporte, Shelby, Simpson, Sutherland, Tevis, Williamson and Wolfe —39.

Those who voted in the negative are,

Messrs. Allen of Putnam, Boone, Clark of Hamilton, Conner, Cowen, Dowling, Edger, Ford, Garrett, Gilbert, Hobbs, Hodges, Hostetter, Kelley, Lee of Posey, Logan of Pike, Macy, McAllister, McConnell, McDonald, Miller of V., Montgomery, Moore, Nees, Parker, Robbins, Roberts of Putnam, Simonson, Smith, Spicknall, Turman, Verbrike, Williams, and Mr.Speaker—36.

So said amendment was adopted.

Mr. Roberts of P., moved further to amend by adding the following proviso:

Provided, however, That the Treasurer shall not hypothecate scrip as security for such loan;

Which amendment to the amendment was not adopted.

The question recurring on the amendment of the Speaker as amended;

And the ayes and noes were demanded by Messrs. Rich and Roberts of P.,

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Boone, Byers, Clark of Hamilton, Clark of Tippecanoe, Cowen, Dowling, Edger, Ford, Garrett, Gilbert, Gorman, Gregory, Helwig, Hobbs, Hodges, Hostetter, Lee of Posey, Logan of Washington, McAlister, McClure, McConnell, McDonald, McRea, Mickle, Miller of Vanderburgh, Montgomery, Mooney, Nees, Norvell, Parker, Robbins, Roberts of Laporte, Roberts of Putnam, Seller, Simonson, Smith, Spicknall, Sutherland, Tevis, Turman, Verbrike, Williams, and Wolfe—44.

Those who voted in the negatine are,

Messrs. Athon, Barbour, Barrett, Bearss, Bowles, Burton, Coffin, Cuppy, Engle, Foley, Forseman, Hannah, Hardin, Harris, Harrison, Hiatt, Holloway, Huddleston, Hurlbut, Jones of Franklin, Kelley, Kerr, Lee of Jefferson, Montague, Moore, Morgan, Nutter, O'Neall, Palmer, Shelby, and Simpson—31.

So said amendment, as amended, was adopted.

The bill was then considered as engrossed, and read a third time;

And on the question,

Shall the bill pass?

And the ayes and noes were demanded thereon by Messrs. Rich and Moore;

Those who voted in the affirmative are;

Messrs. Allen of Laporte, Allen of Putnam, Barbour, Boone, Byers, Clark of Hamilton, Clark of Tippecanoe, Cowen, Dowling, Edger, Ford, Garrett, Gilbert, Gorman, Gregory, Helwig, Hobbs, Hodges, Hostetter, Lee of P., Logan of Pike, McAlister, McClure, McConnell, McDonald, McRae, Mickle, Miller of Vanderburgh, Montgomery, Mooney, Nees, Parker, Robbins, Roberts of Laporte, Roberts of Putnam, Seller, Simonson, Smith, Spicknall, Sutherland, Tevis, Turman, Verbrike, Williams, and Mr. Speaker—46.

Those who voted in the negative are;

Messrs. Athon, Barrett, Bearss, Blakemore, Bowles, Burton, Chapman, Cuppy, Engle, Ferry, Foley, Forseman, Hannah, Hardin, Harris, Harrison, Hiatt, Holloway, Huddleston, Hurlbut, Jones of Franklin, Kelly, Kerr, Lee of Jefferson, Moore, Morgan, Nutter, O'Neall, Palmer, Rich, Shelby, Simpson, and Williamson—33.

So said bill passed, when

Mr. Parker moved to amend the title as follows:

An act for the payment of the civil list.

Which was agreed to.

Ordered, That the clerk report the same to the Senate and ask its concurrence therein.

The following message was received from the Senate by Mr. Doran, their Assistant Secretary:

Mr. Speaker:

The Senate has passed joint resolution of the House, of the following title:

No. 316. A joint resolution for the relief of Samuel Campbell, an old and infirm soldier;

With one amendment.

In which I am directed to ask respectfully the concurrence of this House.

The amendment of the Senate to engrossed joint resolution of the House, No. 316, in said message mentioned;

Was concurred in.

Ordered, That the clerk inform the Senate thereof.

The following message was received from the Senate by Mr. Doran, their Assistant Secretary:

Mr. Speaker:

The Senate recede from their disagreement to amendment of the House to No. 174. A bill to enable forwarding and commission merchants to enforce leins.

The following message was received from the Senate by Mr. Otto, their Principal Secretary:

Mr. Speaker:

The Senate have passed, without amendment, an engrossed bill of the House of Representatives of the following title.

No. 173. An act for the relief of the heirs of Melchoir Sooder and James Hays, late of Dearborn county, deceased.

The Senate disagree to the amendments of the House of Representatives to an engrossed bill of the Senate of the following title:

No. 135. An act prescribing the duty and defining the authority of the board of commissioners of the county of Monroe, in certain cases therein named.

On motion,

The House insists on its amendment to engrossed bill of the Senate No. 135, in said message mentioned.

Ordered, That the clerk inform the Senate thereof.

The following message was received from the Governor by Mr. Kinder, his private secretary:

Mr. Speaker:

I am instructed by His Excellency the Governor to inform the House of Representatives that he has, this day, approved and signed the following acts and joint resolutions:

No. 6. An act to abolish the office of county auditor, in the county of Warrick.

No. 106. An act for the encouragement of domestic manufactures.

No. 2. A joint resolution in relation to refunding the fine imposed upon General Andrew Jackson, by Judge Hall, and for other purposes.

No. 120. An act to provide for the re-location of the seat of justice in the county of Martin.

No. 14. A joint resolution on the subject of postage.

No. 50. An act to vacate the town plat of the town of Lagrange, in Lagrange county.

No. 18. An act for the protection of wild fruit growing on public lands in the counties of Lake, Porter, Laporte, St. Joseph, Marshall, Fulton, and Kosciusko.

No. 194. An act to declare a certain road therein named a state road.

No. 297. A joint resolution concerning a State Prison.

No. 34. An act regulating the boundaries of the counties of Warrick and Gibson.

No. 109. An act changing the name of Henry Howell to that of HenryRittenour.

No. 113. An act to amend an act to authorize the commissioners of Elkhart, Kosciusko, and Whitley counties to equalize the appraisment of real estate in said counties, approved February 13th, 1843.

No. 276. An act declaring a misprint in the Revised Statutes of 1843.

No. 284. An act to locate a state road on the line between the counties of Lagrange, Steuben, Noble, and DeKalb.

No. 117. An act correcting a discrepency in the estray law.

No. 52. An act concerning marks and brands.

No. 289. An act in relation to road tax in the town of Laporte.

No. 282. An act regulating the road law in the county of Warrick.

No. 224. An act for the relief of justices of the peace.

No. 86. An act extending the provisions of an act entitled "An act to amend an act entitled 'An act to provide for a more uniform mode of doing township business in the several counties therein named,'" approved February 17th, A. D. 1838; approved February 11th 1843, to the county of Kosciusko.

No. 201. An act to incorporate the Porter county manufacturing company.

All of which originated in the House of Representatives.

The following message was received from the Senate by Mr. Otto, its principal secretary.

Mr. Speaker:

The Senate have agreed to the amendment of the House of Representatives to engrossed bills of the Senate of the following titles:

No. 66. An act better to secure the payment of the revenue into the State Treasury, in such funds as are collected by the county treasurers.

No. 155. An act to restrict the session of the grand jury to three days at each term of the Hancock circuit court.

No. 177. An act to amend an act granting to the city of Madison and the town of Lawrenceburgh a city charter.

No. 47. An act to establish an Asylum for the education of deaf and dumb persons in the state of Indiana.

No. 184. An act in relation to the city of Indianapolis.

No. 119. An act to repeal an act to incorporate the trustees of Hanover academy, and an act entitled "An act to amend an act to incorporate the trustees of Hanover Academy," approved Jan. 1, 1834, and for other purposes.

A message from the Senate by Mr. Walpole:

Mr. Speaker:

I am directed by the Senate to inform the House of Representatives that the committee of free conference to take into consideration the disagreeing votes of the two Houses, upon joint resolution of the Senate, No. 13, that said committee reported that a majority of said committee had agreed upon an amendment to said resolution, which amendment was concurred in by the Senate.

They therefore deem it out of the power of the Senate to appoint a committee of free conference as is on the part of the House of Representatives requested.

The following message was received from the Senate by Mr. Otto, its Secretary:

Mr. Speaker :

The Senate has passed, without amendment, engrossed bills and joint resolutions of the House of the following titles, to-wit:

No. 364. An act to authorize the Protestent Episcopal Church in this state to raise a fund for the support of a Bishop, and to aid itinerant and superannuated ministers, their widows and children.

No. 330. An act to locate a state road from Pleasant hill in Montgomery county, to Fulton in Fountain county.

No. 254. An act to provide for the transfer of the saline lands and funds in the county of Orange.

No. 220. An act making the road tax on lands in the counties of Fulton, Marshall, White, Pulaski, Jasper, Stark, and Benton, uniform, and for other purposes.

No. 298. An act to repeal a portion of the charter of the city of Richmond, Wayne county.

No. 249. An act extending the provisions of an act therein named to the counties of Jay, Randolph, and Adams.

No. 371. An act changing a certain state road therein named.

No. 376. An act to legalize the location of a state road in the counties of Wabash and Kosciusko.

The following message was received from the Senate by Mr. Otto, its principal secretary.

Mr. Speaker:

The Senate has passed, without amendment, bills and joint resolutions of the House of the following titles, to-wit:

No. 395. An act for the relief of the heirs and legal representatives of James Shoemaker, deceased.

No. 274. An act to transfer the books, papers, &c., of the offices of the commissioner of Michigan road lands and agent of the town of Indianapolis, to the State Auditor's office.

No. 362. An act making general appropriations for the year 1844.

No. 387. An act for the relief of Turner Nelson and others.

No. 381. An act defining the duties of justices of the peace in Owen county.

No. 373. An act creating a change in a state road therein named.

No. 372. An act to change the name of Boxleytown, in Hamilton county,

No. 275. A joint resolution amendatory of a joint resolution on the subject of counting and cancelling state bonds that have been received by the Treasurer of State, approved Feb. 9, 1843.

No. 352. An act to vacate a part of a state road in Tippecanoe county.

No. 273. An act to repeal a part of the militia law.

No. 360. An act to amend a certain act therein named.

No. 291. An act to incorporate the Union Evangelical or Lutheran and German Reformed Church in Indianapolis.

No. 356. An act to incorporate the Union mill company in Laporte county.

No. 379. A joint resolution for the relief of William Willard.

No. 336. An act to elect an additional constable in Ladoga, Montgomery county.

No. 280. An act relating to the assessment of canal lands.

No. 283. An act authorizing the election of certain officers in the town of Indianapolis.

No. 283. An act to establish an additional place of holding elections in Jackson township, in the county of Washington.

No. 349. An act to legalize the proceedings of the probate court and board of commissioners of Miami county, and for other purposes.

No. 306. An act vacating an alley in the city of Fort Wayne.

No. 271. An act to require the superintendents of public works to furnish a list of tolls to the Auditor of State.

No. 270. An act to change the time of holding probate court in Vanderburgh county.

No. 310. An act to change a certain part of a state road in the counties of Clay and Owen.

No. 339. An act for the relief of the heirs of John Talbott, deceased.

No. 311. An act to revive an act to incorporate the Lagro and Manchester turnpike company.

No. 395. An act for the relief of Jacob Deringer.

No. 412. An act repealing so much of an act entitled "An act providing for a more uniform mode of doing township business in the several counties therein named, so far as the same relates to the county of Clay.

No. 410. An act to amend the practice of law in the Allen circuit court, and for other purposes.

No. 409. An act to amend an act entitled "An act to confine voters to their respective townships in the counties of Tippecanoe, &c.

No. 411. An act to vacate a certain state road therein named.

A message from the Senate by Mr. Otto, their Principal Secretary:

Mr. Speaker:

The Senate has passed engrossed bills of the House, without amendment, entitled as follows, to-wit:

No. 341. An act to detach certain territory from the county of Miami, and attach the same to the county of Fulton.

No. 385. An act providing for the opening and repairing roads and highways in Hancock county.

No. 367. An act for the relief of Jason Ham.

No. 386. An act to repeal in part a certain law therein named.

No. 390. An act relative to justice of the peace in Posey county.

No. 370. An act for the relief of Benjamin H. Scott.

No. 374. An act authorizing a special term of the Vigo circuit court.

No. 375. An act declaring a certain county road a state road in the county of Clay.

No. 405. An act for the relief of Dowling and Cole, State Printers.

No. 351. An act in relation to the surplus revenue fund in the counties of Blackford and Jay.

No. 329. An act providing for removing obstructions in Buck creek, in Henry county.

No. 266. An act to reinstate the records of Noble county.

No. 366. An act to incorporate the Frankfort railroad company.

No. 403. An act to authorize the removal of all obstructions that may be across the Rockport road in Lawrence and Monroe counties.

No. 315. An act to locate a state road from Gosport in Owen county, to Columbus in Bartholomew county.

No. 286. An act changing the sessions of county boards.

No. 378. An act to vacate the town of Savannah in the counties of Rush and Shelby.

No. 299. An act changing and relocating certain state roads in Delaware county.

No. 347. An act to authorize the agent of the surplus revenue of Marion county to sell certain real estate.

No. 308. An act authorizing the county commissioners of the county of Clark to settle with Joseph E. Moore.

No. 301. An act supplemental to an act approved Feb. 10, 1843, relative to water power at Pittsburg.

No. 317. A joint resolution relative to International Literary Exchanges.

It being 11 o'clock P. M.;

The House,

On motion,

Adjourned to meet again on Monday morning at 8 o'clock.

MONDAY MORNING, JAN. 15th, 1844.

The House met pursuant to adjournment.

The Speaker laid before the House the remonstrance of A. F. Marton and others, citizens of Carroll county, against a state road from Rossville to Wm. Stranahan's on the Frankfort road;

Which was laid on the table.

Mr. Edger presented the petition of sundry citizens of Randolph county, praying the repeal of the law prohibiting blacks from having an oath, &c;

Which was read,

And on motion,

Was laid on the table.

Mr. Nees presented the remonstrance of citizens of Clay county against the location of a state road therein named;

Which was laid on the table.

On motion,

Mr. Miller of V., has leave to withdraw a certain petition from the files of this House, from citizens of Vanderburgh county, in relation to a subject therein named.

The following message was received from the Senate by Mr. Otto, their Principal Secretary:

Mr. Speaker:

The Senate has passed, without amendment, engrossed bill of the House of Representatives of the following title:

No. 327. A bill for the relief of Henry Ingle.

On motion of Mr. Moore,

Bill No. 378, entitled "A bill for the relief of the heirs of Geo. W. Brackenridge, deceased, late of Franklin county, was taken from the table;

When Mr. Moore withdrew his motion previously made to lay on the table.

The question then recurred,

Shall the bill be engrossed for a third reading?

When,

On motion,

It was considered as engrossed, read the third time,

And passed.

Ordered, That the clerk report the same to the Senate and ask their concurrence therein.

Mr. ——— moved to reconsider the vote taken by which bill No. 10, of the Senate, incorporating the Lagrange Phalanx, was indefinitely postponed;

And the ayes and noes being demanded by Messrs. Rich and Ferry:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Barbour, Barrett, Bearss, Blakemore, Clark of Hamilton, Dowling, Engle, Gilbert, Hannah, Harrison, Hobbs, Holloway, Hurlbut, James, Jones of Fountain, Lee of Jefferson, Macy, Miller of Vanderburgh, Montague, Morgan, Nutter, Parker, Reed, Seller, Shelby, Simpson, Sutherland, Tevis, Verbrike, Wolfe, and Mr. Speaker.—32.

Those who voted in the negative are,

Messrs. Allen of Putnam, Athon, Boone, Bowles, Cowen Elder, Ford, Gregory, Hardin, Harris, Huddleston, Keimer, Lee of Posey, McAlister, McClure, McConnell, McDonald, McRae, Montgomery, Mooney, Rich, Roberts of Putnam, Simonson, Smith, Spicknall, Williamson, and Wright—27.

There not being a quorum of members present, the motion was lost.

Mr. Moore, on leave, introduced the following resolution:

Resolved, That the Principal clerk be authorized to call on the auditor of State to know the reason why he has not reported to this House in answer to two resolutions calling on him for a report in re-

lation to the commissioners appointed by the Governor to select lands for the use of the Wabash and Erie canal, and the amount paid said commissioners per day for their services: 2d. In relation to an enquiry about the price of paper for prining the Revised Code.

Which was adopted.

Mr. Nees, from a select committee, made the following report:

Mr. Speaker:

The select committee, to whom was referred the petition of sundry citizens of Clay county, praying the passage of a law repealing an act entitled "An act applying certain funds to purposes of education," approved Jan. 31, 1842, have directed me to report, that inasmuch as a bill has passed this House, repealing so much of said act as requires certain officers to make reports when they have no fees in their hands, and they trust said bill will meet the object of the petitioners, and your committee ask to be discharged from the further consideration of the subject.

Which report was concurred in and the committee discharged from the consideration thereof.

Mr. Chapman, chairman of the committee on roads, made the following report:

Mr. Speaker:

The committee on roads, to whom was referred the petition of John M. Ewing and others, citizens of Carroll county, relating to the Frankfort road, now report that owing to the late hour of the reference of said petition;

The committee have not time to act on the motion and ask to be discharged.

Which report was concurred in and the committee discharged accordingly.

The following message was received from His Excelleny the Governor by Mr. Kinder, his Private Secretary:

Mr. Speaker:

I am instructed by His Excellency the Governor, to inform the House of Representatives, that he did on the 15th inst., sign and approve the following acts and joint resolutions:

No. 226. An act to amend an act entitled "An act to establish and regulate ferries," approved Feb. 10, 1831;

No. 243. An act in relation to road tax in Elkhart county;

No. 15. A joint resolution on the subject of the Oregon Territory;

No. 312. An act to legalize the proceedings of the trustees of the Wolf creek Baptist church, in Boone county;

No. 292. An act to vacate a part of a certain state road in Putnam county;

No. 236. An act changing the name of the town of Black Hawk in Shelby county, to that of Mount Auburn;

No. 244. An act declaratory of the law in a special case in Fayette county;

No. 213. Ad act to authorize Job Meridith to build a mill dam across Tippecanoe river;

No. 277. An act for the relief of David Weddle of Brown county;

No. 253. An act to vacate the town of West Point in Lake county;

No. 217. An act to change the mode of selecting petit jurors in and for the county of Blackford;

No. 215. An act to locate a state road in Steuben county;

No. 185. An act authorizing the location of a state road in the county of Allen;

No. 184. An act regulating the selecting grand jurors in the county of Randolph;

No. 175. An act appointing commissioners to locate a state road from the town of Portland in Jay county, to Hartford in Blackford county;

No. 147. An act to reduce the salary of the clerk of the State Prison;

No. 211. An act to provide for keeping in repair the road from Lafayette to Crawfordsville;

No. 1. A memorial and joint resolution on the subject of the Cumberland road;

No. 186. An act to change the name of Rachel Will;

No. 54. An act to declare the Mississinewa river a public highway;

No. 76. An act to change a state road in the county of Sullivan;

No. 31. An act to locate a state road in the county of Daviess;

No. 319. An act providing for the loan of the school funds of Vigo county;

No. 290. An act incorporating the Delphi water works company;

No. 231. An act to improve the navigation of Sugar creek;

No. 216. An act for the relief of Thomas C. Stewart, of Pike county;

No. 242. An act for the relief of Samuel W. Sprott, against an unjust indictment in the county of DeKalb;

No. 79. An act to authorize the school commissioner of Vanderburgh county to refund certain moneys;

No. 144. An act to reduce the tolls on the New Albany and Vincennes road, and for other purposes;

No. 191. An act to amend an act granting to the citizens of Madison and the town of Lawrenceburgh a city charter;

No. 208. An act to legalize the acts of the school commissioners of Benton county;

No. 206. An act amending the criminal law;

No. 200. An act to extend the time of holding probate courts in Decatur county;

No. 197. An act to give effect to an act entitled "An act to restrict the county commissioners in the counties of Allen, Laporte, Wells, Huntington, Adams, and Jay," approved Feb. 13, 1843;

No. 172. An act granting certain lands to the board of commissioners of Lake county to be used for the purpose of a burying ground;

No. 135. An act to suspend the further issue of $5 Treasury Notes in lieu of $50;

No. 161. An act to legalize the records of roads and highways in the county of Clay;

No. 247. An act for the relief of William B. Townsend of Clay county;

All of which originated in the House of Representatives.

The following message was received from the Senate by Mr. Otto, their Principal Secretary:

Mr. Speaker:

The Senate have concurred in the report of the committee of free conference, appointed to take into consideration the disagreement of the two Houses, relative to a certain amendment of the House to an engrossed bill of the Senate;

No. 8. An act to incorporate the University of Notre Dame Du Lac;

Also, in the report of the committee of free conference, relative to the disagreement of the two Houses upon an engrossed bill of the House of Representatives, entitled:

No. 180. An act to abolish the office of county auditor in certain counties therein named.

The following message was received from the Senate by Mr. Otto, their Principal Secretary:

Mr. Speaker:

The Senate insists upon its disagreement to an amendment of the House of Representatives, to an engrossed bill of the Senate, entitled:

No. 135. An act prescribing the duty and defining the authority of the board of commissioners of the county of Monroe, in certain cases therein named.

Mr. Norvell moved that the House insist on its amendment to No. 135 of the House, in the said message mentioned;

And the ayes and noes being demanded thereon by Messrs. Norvell and Simonson:

Those who voted in the affirmative are,

Messrs. Allen of Laporte, Barbour, Boone, Bowles, Engle, Ferry, Jones of Fountain, Lee of Posey, McAlister, McClure, McConnell, McDonald, McRae, Mickle, Mooney, Palmer, Robbins, Roberts of Putnam, Williams, and Mr. Speaker.—20.

Those who voted in the negative are,

Messrs. Barrett, Bearss, Chapman, Clark of Hamilton, Conner, Edger, Foley, Ford, Forseman, Gilbert, Gregory, Hannah, Harris, Harrison, Hobbs, Holloway, Hostetter, Huddleston, Hurlbut, Lee of Jefferson, Macy, Miller of Vanderburgh, Montague, Morgan, Nees, Nutter, Parker, Reed, Rich, Seller, Shelby, Simpson, Smith, Spicknall, Wolfe, and Wright,—39.

There not being a quorum of members present the motion was lost.

The following message was received from the Senate by Mr. Chapman, a Senator:

Mr. Speaker:

I am directed by the Senate to inform the House of Representatives that the Senate has adopted the following resolution:

Resolved, That the House of Representatives be requested to return to the Senate a resolution thereof, in relation to the report of the committee of free conference, on joint resolution No. 13;

On motion,

It was,

Ordered, That the clerk return to the Senate the resolution in the said above resolution mentioned.

The following message was received from His Excellency the Governor, by Mr. Kinder, his Private Secretary:

Mr. Speaker:

I am instructed by His Excellency the Governor to inform the House of Representatives that he did on this day approve and sign the following acts and joint resolutions:

No. 124. An act to apply the saline funds to common school purposes;

No. 145. An act relative to practice in circuit courts;

No. 154. An act for the better regulation of the county board in the county of Warrick;

No. 195. An act to improve the breed of sheep;

No. 205. An act for the relief of John Law, Lucius H. Scott, Hugh Stewart, Henry V. McCall, James B. McCall, and Mary J. McCall, the heirs and legal Representatives of James B. McCall, deceased;

No. 156. An act extending certain laws therein named to the county of Randolph;

No. 146. An act to appoint the board of county commissioners of Carroll county the only board of Seminary trustees for the county seminary of said county;

No. 140. An act to legalize the acts of school commissioner in the county of Martin;

No. 105. An act to amend an act entitled "An act relating to the seminary fund in Cass county," approved Feb. 11, 1843;

No. 214. An act for the relief of the heirs of George Bishop, late of the county of Jay, deceased;

No. 160. An act to limit the trustees of Evansville to a certain tax;

No. 152. An act extending the provisions of a certain act therein named to the county of Spencer:

No. 139. An act to amend an act entitled "An act to provide for the collection of debts due from the Lawrenceburgh and Indianapolis railroad company;

No. 112. An act to provide for a more uniform mode of doing township business in the county of Hamilton;

No. 56. An act converting the moneys arising from the sale of estrays and property taken up adrift into the common school fund;

No. 148. An act for the appointment of township assessors in certain counties therein named, and defining their duties;

No. 180. An act abolishing the office of county auditor in certain counties therein named;

No. 352. A joint resolution providing for the compensation of the Revisors;

All of which originated in the House of Representatives.

Mr. Parker, on leave, introduced

No. 415. A bill continuing the means for the instruction of the deaf and dumb in this State;

Which was read three several times,

The rule being suspended therefor,

And passed.

Ordered, That the Senate be informed thereof and its concurrence be asked.

The Speaker announced that Messrs. Coffin, Roberts of L., and James were added to the committee on enrolled bills, for the purpose of expediting business.

Mr. Bowles, on leave, made the following report, from the committee on ways and means:

Mr. Speaker:

The committee of ways and means, under a resolution of the House directing the destruction of all the Treasury Notes, Bank, and Wabash and Erie canal scrip, heretofore counted and cancelled by the committee of ways and means, take this occasion to inform the House that they have performed that duty, and directed me to report that on Saturday the 13th inst., they destroyed, in presence of the committee and the Treasurer of State, $1,047,638,71 of the various kinds of scrip above recited;

Respectfully submitted.

Which report was concurred in.

The following message was received from the Senate by Mr. Otto, their Principal Secretary:

Mr. Speaker:

The Senate concur in the amendment of the House of Representatives, to an engrossed bill of the Senate of the following title:

No. 140. An act supplemental to an act entitled "An act to incorporate the trustees of Madison University" passed at the present session.

The Senate have passed engrossed bills of the House of Representatives, without amendment, of the following titles:

No. 204. An act to amend an act entitled "An act authorizing the issue of $5 Treasury Notes for the redemption of the $50 Treasury Notes now in circulation," approved Jan. 31, 1842;

No. 394. An act to vacate the town of Otsego, and for other purposes;

No. 415. An act continuing the means for the instruction of the deaf and dumb in this State.

Mr. Hobbs has leave to withdraw from the files the petitions of citizens of Lagrange county, in relation to the relocation of the county seat thereof.

Mr. Clark of T., from a committee of free conference, made the following report:

Mr. Speaker:

The committee of free conference, appointed on the part of the House, to act with a similar committee on the part of the Senate, to take into consideration the matter of disagreement between the two Houses, in reference to bill No. 13, of the Senate, now report that

the two committees have endeavored to settle the difference between the two Houses, in this behalf, but have failed in their effort, and have agreed to disagree, the committee therefore ask to be discharged.

S. F. CLARK.
P. E. ENGLE.

Which report was concurred in.

Ordered, That the clerk inform the Senate thereof.

The following message was received from the Senate by Mr. Otto, its Principal Secretary:

Mr. Speaker:

The Senate insist upon their second amendment to an engrossed bill of the House of Representatives, entitled:

No. 259. An act to provide for the erection of a bridge across the French Lick creek, in the county of Orange.

The Senate recede from their amendments to engrossed bill of the House of Representatives:

No. 202. An act in relation to tavern licenses in Carroll county;

Except so far as the said amendments relate to the county of Hancock;

They insist upon so much of said amendment as concerns that county.

The Senate agrees to the amendment of the House of Representatives to the amendment of the Senate, to an engrossed bill of the House of Representatives, of the following title:

No. 278. An act in relation to a state road in Monroe county, and for other purposes.

On motion of Mr. Bowles,

The House continues to insist on its disagreement to the amendment of the Senate to bill of the House No. 259, in the said message mentioned;

And the chair appointed Messrs. Bowles and Mooney a committee of free conference on the part of the House.

Ordered. That the clerk inform the Senate thereof.

The House,

On motion,

Receded from its disagreement to the amendment of the Senate to bill of the House No. 202, in said message mentioned, so far as relates to the county of Hancock.

Ordered, That the clerk inform the Senate thereof.

Mr. Conner, from the committee on enrolled bills, made the following report:

Mr. Speaker:

The committee on enrolled bills have examined the following bills and find them correctly enrolled, to-wit:

No. 148. An act to amend an act to provide for the appointment of township assessors in certain counties therein named, and defining their duties;

No. 180. An act abolishing the office of county auditor in certain counties therein named.

Whereupon the Speaker signed said enrolled acts.

Ordered, That the clerk report the same to the Senate for the signature of the President thereof.

Mr. Conner, from the same committee, made the following report:

R. Speaker:

The committee on enrolled bills have compared the following enrolled with the engrossed bills of the House and find them correctly enrolled, to-wit:

No. 266. An act to reinstate the records of Noble county;

No. 237. An act to incorporate the Warren County Canal Company;

No. 334. An act to organize the counties of Tipton and Richardville;

No. 403. An act to authorize the removal of all obstructions that may be across the Rockport road in Lawrence and Monroe counties;

No. 375. An act declaring a certain county road a state road in the county of Clay;

No. 395. An act for the relief of Jacob Daringer;

No. 379. A joint resolution for the relief of William Willard;

No. 283. An act to establish an additional place of holding elections in Johnson township, in the county of Washington;

No. 385. An act to provide for opening and repairing roads and highways in Hancock county;

No. 370. An act for the relief of Benjamin H. Scott;

No. 341. An act to detach certain territory from the county of Miami and attach the same to the county of Fulton;

No. 330. An act to establish the Pleasant Hill and Fulton state road;

No. 340. An act to vacate a part of the town of Independence in the county of Warren;

No. 291. An act to incorporate the German Evangelical Church, in Indianapolis;

No. 361. An act to provide for summoning petit jurors in the Lagrange circuit and probate courts;

No. 316. A joint resolution for the relief of Samuel Campbell, an old and infirm soldier;

No. 362. An act making general appropriations for the year 1844;

No. 371. An act to change a certain state road therein named;

No. 376. An act to legalize the location of a certain state road therein named;

No. 411. An act to vacate a certain state road therein named;

No. 332. An act to locate a state road in the county of Allen;

No. 404. An act changing a certain part of a state road in Clay county;

No. 400. A joint resolution providing that each member of the General Assembly shall have a copy of the Revised Laws of this State;

No. 388. An act concerning certain indictments in Scott county;

No. 192. An act to amend an act entitled "An act to incorporate the Vevay and Napoleon and other Turnpike Companies," approved February 8th, 1836;

No. 315. An act to locate a state road from Goshen in Owen county, to Columbus in Bartholomew county;

No. 351. An act in relation to the surplus revenue fund in the counties of Jay and Blackford;

No. 358. An act to exclude certain territory from the incorporation of Michigan City;

No. 102. An act to postpone the sale of lands forfeited to the common school and saline funds;

No. 259. An act to further reduce the expenses of Brown and Owen counties;

No. 368. An act to locate certain state roads therein named and for other purposes;

No. 269. An act to provide for a more efficient mode of expending the road tax in the several counties therein named;

No. 103. An act for the relief of Samuel Rockafeller, in Franklin county;

No. 29. An act postponing the time for the payment of taxes;

No. 412. An act repealing so much of an act entitled an act proproviding for a more uniform mode of doing township business in the several counties therein named, approved February 1st, 1838 so much as relates to the county of Clay;

No. 339. An act for the relief of the heirs of John Talbot, deceased;

No. 345. An act to amend an act entitled 'an act to provide for the payment of expenses incurred for the protection of the school fund, and for other purposes,' approved February 11th, 1843;

No. 337. An act to establish a state road from Little York in Washington county, to New Providence in Clarke county;

No. 27. An act for the relief of Curtis Mallory, treasurer of Hamilton county;

No. 296. An act to provide for the electing supervisors of roads in Boone county;

No. 219. An act in relation to school district No. 5, in township 37 north, range 3 west, in Laporte county;

No. 255. An act to authorize the auditor of Hendricks county to become the purchaser of real estate in certain cases therein named;

No. 335. An act relative to certain public ground in the town of Wabash, and the use and improvemet of the water power at the lock on the Wabash and Erie Canal at said town;

No. 378. An act to vacate the town of Savannah in the counties of Rush and Shelby;

No. 57. An act for the relief of John Sankey, of Vigo county;

No. 228. An act to incorporate the Terre Haute Drawbridge Company;

No. 26. An act changing the sessions of the county boards;

No. 207. An act relative to the overseers of the poor;

No. 343. An act for the relief of the heirs of Samuel Howard, deceased;

No. 342. An act to reduce the price of ferriages in Lawrence county;

No. 392. An act to locate a certain state road in Carroll county;

No. 397. An act declaring a certain road therein named, a state road;

No. 315. A joint resolution relative to international literary exchange;

No. 348. An act authorizing the county commissioners of the county of Clark to settle with Joseph E. Moore;

No. 187. An act giving further time to assessors;

No. 293. An act regulating the fees of auditor in the counties of Randolph and Grant;

No. 301. An act supplemental to an act approved February 10th, 1843, relative to water power at Pittsburgh;

No. 374. An act providing for a special term of the Vigo circuit court;

No. 310. An act to vacate and change a certain part of a state road in the counties of Clay and Owen;

No. 262. An act in relation to awards;

No. 328. An act to authorize the trustees of township 25, range two west, in Carroll county, to lease the school section of said township for the term of ninety years;

No. 357. An act for the relief of purchasers of school lands in Monroe county;

No. 333. An act for the better improvement of the important state roads in the counties of Allen, DeKalb, Noble, Huntington, and Wells;

No. 402. An act to locate a state road;

No. 367. An act for the relief of Jason Ham, treasurer of Wayne county;

No. 407. An act permitting a dry dock at Wabash;

No. 406. An act for the relief of Aquilla Rodgers, of Monroe county;

No. 329. An act providing for removing obstructions in Buck creek in Henry county;

No. 347. An act to authorize the agent of the surplus revenue of Marion county to sell certain real estate;

No. 274. An act to transfer the books and papers of the office of agent of the town of Indianapolis, and the books and papers of the Michigan road commissioner to the office of State Auditor;

No. 394. An act to vacate the town of Otsego and for other purposes;

No. 327. An act for the relief of Henry Ingle;

No. 275. A joint resolution amendatory of a joint resolution on the subject of counting and cancelling state bonds that have been received by the Treasurer of State, approved February 9th, 1843;

No. 273. An act to repeal the militia law;

No. 254. An act to provide for the transfer of the management of the saline lands and funds in the county of Orange:

No. 270. An act to provide for changing the time of holding the probate court in the county of Vanderburgh;

No. 413. An act continuing the means for the instruction of the deaf and dumb in this State;

No. 409. An act to amend an act entitled "An act to confine the voters of Tippecanoe, Cass, Porter, Lake, and Franklin counties to their respective townships, and for other purposes," approved February 13th, 1843;

No. 386. An act to repeal a part of a certain law therein named;

No. 405. An act for the relief of Dowling & Cole, State Printers;

No. 390. An act providing for the election of an additional justice of the peace in Posey county;

No. 225. An act to change the mode of selecting seminary trustees in the county of Lawrence, and for other purposes;

No. 59. A joint resolution on the subject of reducing the per diem allowance of members of Congress and for other purposes;

No. 132. An act to amend an act entitled "An act to incorporate the Logansport and Wabash Bridge Company;

No. 19. An act to vacate part of the state road leading from Lawrenceburgh to the mouth of the Great Miami river;

No. 39. An act to amend an act entitled "An act providing for the incorporation of towns;"

No. 91. A joint resolution relating to a United States' Armory on the western waters;

No. 272. An act vesting the duties of school commissioner in the county treasurer of certain counties;

No. 271. An act to require the superintendents on the lines of public works to furnish the Auditor of State with a list of tolls;

No. 311. An act to revive an act to incorporate the Lagro and Manchester Turnpike Company;

No. 280. An act relating to the assessment of canal lands;

No. 173. An act for the relief of the heirs of Melchoir Sooder and James Hayes, late of the county of Dearborn, deceased;

No. 249. An act extending the provisions of an act entitled "an act to compel speculators to pay a road tax equal to that paid by actual settlers," approved January 31st, 1842, to the counties of Jay and Adams;

No. [illegible]. An act for the relief of the heirs and legal representatives of James Shumaker, deceased;

No. [illegible]. An act making the road tax on land in the counties of [illegible] Marshal, White, Pulaski, Jasper, Benton, and Lake uniform, and for other purposes;

No. [illegible]. An act providing for the election of one school commissioner in Russel township, in Putnam county;

No. [illegible]. An act to raise a revenue for state purposes and to redeem the [illegible]sury notes;

No. [illegible]. An act changing and relocating certain state roads in Delawa[illegible]unty;

No. 9[illegible]. An act to exempt certain lands and tenements therein named, fr[illegible]xation;

No. 364. An act to authorize the Protestant Episcopal Church in this Sta[illegible]raise a fund for the support of a Bishop and to aid itinerant an[illegible]annuated ministers, their widows and children;

No. 372. An act to change the name of Boxley town in Hamilton county;

No. 336. An act to elect an additional constable in Ladoga, Montgomery county;

No. 360. An act to amend a certain act therein named;

No. 298. An act to repeal an act entitled "an act —— ——;

No. 288. An act authorizing the election of certain officers in the town of Indianapolis;

No. 309. An act to legalize the proceedings of the probate court and board of commissioners of Miami county, and for other purposes;

No. 352. An act to vacate a part of a state road in Tippecanoe county;

No. 387. An act for the relief of Turner Nelson, clerk of Posey county, and his sureties;

No. 366. An act to incorporate the Frankfort Railroad Company;

No. 338. An act to incorporate the Richmond Turnpike Company, and for other purposes;

No. 331. An act defining the duties of justices of the peace in Owen county;

No. 306. An act vacating an alley in the city of Fort Wayne;

No. 373. An act creating a change in a state road therein named;

No. 24. An act to amend an act entitled "an act to incorporate the Lawrenceburgh and Napoleon Turnpike Company," approved February 18th, 1840;

Thereupon the Speaker signed said enrolled acts.

Ordered, That the clerk report the same to the Senate for the signature of the President thereof.

Mr. Smith, in behalf of himself and others, presented the following protest, which was ordered to be spread upon the Journal:

The undersigned protest against the passage of a bill granting a charter to the Madison University for the following reasons:

1st. It requires a vote of two thirds of all succeeding legislatures to repeal the same. The undersigned believing this provision to be in direct contradiction to the fundamental principles of true republicanism; thus bartering away a portion of the people's rights and privileges, thereby counteracting the true principals of our free institutions, in which we conceive the rights, that the majority should always have the right to govern.

THOS. M. SMITH,
A. L. ROBINSON,
GEO. W. MOORE,
J. CHAPMAN.

This 15th Jan., 1844.

Mr. Wright, in behalf of himself and Mr. Rich, made the following protest, which is ordered to be spread upon the Journal:

The undersigned, members of the General Assembly of the State of Indiana, availing themselves of their constitutional privilege, solemnly protest against the passage of a bill through this House on the 13th day of January, 1844, entitled "a bill to provide for the payment of the civil list."

And for reasons, the undersigned assign:

1st. That the issue of one fourth of one per cent. treasury notes, as proposed, even though they are made to bear, from the passage of said bill, six per cent. interest, will tend to depreciate, in a great degree, the market value of the old issue of treasury notes, now intimately connected with the various trust funds of the State.

2d. That the undersigned regard the reissue of treasury notes, under any circumstances, as an evil to be avoided above all others, and as a curse greater than any that has been or can be inflicted upon the State, always saving and excepting the mammoth system of internal improvements.

The undersigned ask that this, their protest, may be entered upon the Journals of this House.

T. T. WRIGHT,
D. C. RICH.

Mr. Conner, from the committee on enrolled bills, made the following report:

Mr. Speaker:

The committee on enrolled bills did, on the 15th day of January, present to His Excellency the Governor, for his approval and signature, bills of the following titles, to-wit:

No. 266. An act to reinstate the records of Noble county;

No. 239. An act to incorporate the Warren County Canal Company;

No. 334. An act to organize the counties of Tipton and Richardville;

No. 403. An act to authorize the removal of all obstructions that may be across the Rockport road in Lawrence and Monroe counties;

No. 375. An act declaring a certain county road a state road in the county of Clay;

No. 395. An act for the relief of Jacob Daringer;

No. 379. A joint resolution for the relief of William Willard;

No. 283. An act to establish an additional place of holding elections in Johnson township, in the county of Washington;

No. 385. An act to provide for the opening and repairing roads and highways in Hancock county;

No. 275. A joint resolution amendatory of a joint resolution on the subject of counting and cancelling state bonds that have been redeemed by the Treasurer of State, approved February 9th, 1843;

No. 273. An act to provide for the transfer of the management of the saline lands and funds in the county of Orange;

No. 270. An act to provide for changing the time of holding probate courts in the county of Vanderburgh;

No. 413. An act continuing the means for the instruction of the deaf and dumb of this State;

No. 409. An act to amend an act entitled "an act to confine the voters of Tippecanoe, Cass, Porter, Lake, and Franklin counties to their respective townships and for other purposes," approved Feb. 13th, 1843;

No. 262. An act in relation to awards;

No. 328. An act to authorize the trustees of township twenty-five, range two west, in Carroll county, to lease the school section of said township, for the term of ninety years;

No. 357. An act for the relief of purchasers of school lands in Monroe county;

No. 333. An act for the better improvements of the important state roads in the counties of Allen, DeKalb, Noble, Huntington and Wells;

No. 402. An act to locate a state road;

No. 367. An act for the relief of Jason Ham, treasurer of Wayne county;

No. 407. An act permitting a dry dock at Wabash;

No. 406. An act for the relief of Aquilla Rodgers, of Monroe county;

No. 329. An act providing for removing obstructions in Buck creek, in Henry county;

No. 347. An act to authorize the agent of the surplus revenue of Marion county to sell real estate;

No. 293. An act regulating the fees of auditor in the counties of Randolph and Grant;

No. 337. An act to establish a state road from Little York in Washington county, to New Providence in Clark county;

No. 27. An act for the relief of Curtis Mallory, treasurer of Hamilton county;

No. 296. An act to provide for the electing supervisors of roads in Boone county;

No. 219. An act in relation to school district No. 5, in township 37 north, range 3 west, in Laporte county;

No. 255. An act to authorize the auditor of Hendricks county to become the purchaser of real estate in certain cases therein named;

No. 335. An act relative to certain public ground in the town of Wabash, and the use and improvement of the water power at the lock on the Wabash and Erie Canal at said town;

No. 378. An act to vacate the town of Savannah in the counties of Rush and Shelby;

No. 376. An act to legalize the location of a certain state road therein named;

No. 411. An act to vacate a certain state road therein named;

No. 228. An act to incorporate the Terre Haute Drawbridge Company;

No. 26. An act changing the sessions of the county boards;

No. 207. An act relative to the overseers of the poor;

No. 343. An act for the relief of the heirs of Samuel Howard, deceased;

No. 342. An act to reduce the price of ferriages in Lawrence county;

No. 392. An act to locate a certain state road in Carroll county;

No. 399. An act declaring a certain road therein named, a state road;

No. 315. A joint resolution relative to international literary exchange;

No. 348. An act authorizing the county commissioners of the county of Clark to settle with Joseph E. Moore;

No. 187. An act giving further time to assessors;

No. 358. An act to exclude certain territory from the incorporation of Michigan City;

No. 102. An act to postpone the sale of lands forfeited to the common school and saline funds;

No. 370. An act for the relief of Benjamin H. Scott;

No. 341. An act to detach certain territory from the county of Miami and attach the same to the county of Fulton;

No. 330. An act to establish the Pleasant Hill and Fulton state road;

No. 340. An act to vacate a part of the town of Independence in the county of Warren;

No. 291. An act to incorporate the German Evangelical Church, in Indianapolis;

No. 361. An act to provide for summoning petit jurors in the Lagrange circuit and probate courts;

No. 316. A joint resolution for the relief of Samuel Campbell, an old and infirm soldier;

No. 362. An act making general appropriations for the year 1844;

No. 371. An act to change a certain state road therein named;

No. 345. An act to amend an act entitled 'an act to provide for the payment of expenses incurred for the protection of the school fund, and for other purposes,' approved February 11th, 1843;

No. 332. An act to locate a state road in the county of Allen;

No. 404. An act changing a certain part of a state road in Clay county;

No. 400. A joint resolution providing that each member of the General Assembly shall have a copy of the Revised Laws of this State;

No. 388. An act concerning certain indictments in Scott county;

No. 192. An act to amend an act entitled "An act to incorporate the Vevay and Napoleon and other Turnpike Companies," approved February 8th, 1836;

No. 315. An act to locate a state road from Goshen in Owen county, to Columbus in Bartholomew county;

No. 351. An act in relation to the surplus revenue fund in the counties of Jay and Blackford;

No. 91. A joint resolution relating to a United States' Armory on the western waters;

No. 272. An act vesting the duties of school commissioner in the county treasurer of certain counties;

No. 259. An act to further reduce the expenses of Brown and Owen counties;

No. 368. An act to locate certain state roads therein named and for other purposes;

No. 269. An act to provide for a more efficient mode of expending the road tax in the several counties therein named;

No. 103. An act for the relief of Samuel Rockafeller, in Franklin county;

No. 29. An act postponing the time for the payment of taxes;

No. 412. An act repealing so much of an act entitled an act proproviding for a more uniform mode of doing township business in the several counties therein named, approved February 17th, 1838 so much as relates to the county of Clay;

No. 339. An act for the relief of the heirs of John Talbot, deceased;

No. 386. An act to repeal a part of a certain law therein named;

No. 405. An act for the relief of Dowling & Cole, State Printers;

No. 390. An act providing for the election of an additional justice of the peace in Posey county;

No. 225. An act to change the mode of selecting seminary trustees in the county of Lawrence, and for other purposes;

No. 59. A joint resolution on the subject of reducing the per diem allowance of members of Congress and for other purposes;

No. 132. An act to amend an act entitled "An act to incorporate the Logansport and Wabash Bridge Company;

No. 19. An act to vacate part of the state road leading from Lawrenceburgh to the mouth of the Great Miami river;

No. 39. An act to amend an act entitled "An act providing for the incorporation of towns;"

No. 301. An act supplemental to an act approved February 10th, 1843, relative to water power at Pittsburgh;

No. 374. An act providing for a special term of the Vigo circuit court;

No. 310. An act to vacate and change a certain part of a state road in the counties of Clay and Owen;

No. 271. An act to require the superintendents on the lines of public works to furnish the Auditor of State with a list of tolls;

No. 311. An act to revive an act to incorporate the Lagro and Manchester Turnpike Company;

No. 280. An act relating to the assessment of canal lands;

No. 173. An act for the relief of the heirs of Melchoir Sooder and James Hayes, late of the county of Dearborn, deceased;

No. 249. An act extending the provisions of an act entitled "an act to compel speculators to pay a road tax equal to that paid by actual settlers," approved January 31st, 1840, to the counties of Jay and Adams;

No. 295. An act for the relief of the heirs and legal representatives of James Shumaker, deceased;

No. 220. An act making the road tax on land in the counties of Fulton, Marshal, White, Pulaski, Jasper, Benton, and Lake uniform, and for other purposes;

No. 274. An act to transfer the books and papers of the office of agent of the town of Indianapolis, and the books and papers of the Michigan road commissioner to the office of State Auditor;

No. 327. An act for the relief of Henry Ingle;

No. 394. An act to vacate the town of Otsego and for other purposes;

Mr. Bowles, from a committee of free conference, made the following report:

Mr. Speaker:

The committee of free conference on the part of the House on bill No. 259, to provide for the erection of a bridge across Lick creek in the county of Orange have conferred with the committee on the the part of the Senate and, after exchanging propositions, find they cannot agree, and ask to be discharged;

Whereupon the said committee was discharged.

Mr. Conner, from the committee on enrolled bills made the following report:

Mr. Speaker:

The committee on enrolled bills have examined the following enrolled joint resolution, and find it correctly enrolled, to-wit:

No. 325. A joint resolution providing for the compensation of the Revisors;

Whereupon the Speaker signed said joint resolution.

Ordered, That the clerk report the same to the Senate for the signature of the President thereof.

Mr. Conner, from the committee on enrolled bills, made the following report:

Mr. Speaker:

The committee on enrolled bills presented to the Governor, for his approval, bills of the following titles, on the 15th of January, 1844.

No. 124. An act to apply the saline funds to common school purposes.

No. 112. An act to provide for a more uniform mode of doing township business in the county of Hamilton.

No. 139. An act to amend an act entitled "An act to provide for the collection of debts due from the Lawrenceburgh and Indianapolis railroad company.

No. 152. An act extending the provision of an act therein named, to the county of Spencer.

No. 160. An act to limit the trustees of Evansville to a certain tax.

No. 214. An act for the relief of the heirs of George Bishop, late of the county of Jay, deceased.

No. 105. An act to amend an act entitled "An act relating to the seminary fund in Cass county, approved Feb. 11th, 1843.

No. 140. An act to legalize the acts of the school commissioner in the county of Martin.

No. 146. An act to appoint the board of county commmissioners of Carroll county the only board of seminary trustees for the county seminary of said county.

No. 156. An act to extend certain laws therein named, to the county of Randolph.

No. 205. An act for the relief of John Law, Lucius H. Scott, Hugh Stewart, Henry V. McCall, the heirs and legal representatives of James B. McCall, deceased.

No. 154. An act for the better regulation of the county board of the county of Warrick.

No. 195. An act to improve the breed of sheep;

No. 145. An act relative to practice in circuit courts.

No. 56. An act converting the moneys arising from the sale of estrays and property taken up adrift, to the common school fund.

No. 189. An act in relation to the boundary line between the counties of Clark and Floyd.

No. 24. An act to locate a state road in the county of Lawrence.

No. 131. An act to incorporate the Lafayette Blues, in Tippecanoe county, Indiana;

No. 14. An act to provide for summoning grand and petit jurors in Decatur and Warren counties;

No. 29. An act for the relief of Joseph Steinberger;

Mr. Conner also made the following report:

Mr. Speaker:

The committee on enrolled bills did, on the 15th day of January, present to His Excellency the Governor, for his signature the following joint resolution:

No. 325. A joint resolution providing for the compensation of the revisors.

Mr. Norvell from the committee of free conference on that subject made the following report.

Mr. Speaker:

The committee to which was referred the disagreeing votes between the Senate and the House of Representatives upon bill No. 391, entitled "An act making specific appropriations for the year 1844; the committee have recommended to the Senate to recede from its amendments with the following amendment: strike out the words "furnished the General Assembly this session," in the 24th and 25th sections, and insert the following instead thereof: "furnished the House of Representatives and its officers, by a resolution of the House thereof;"

Which report was concurred in;

Ordered, That the clerk inform the Senate thereof.

Mr. Hobbs, on leave, introduced,

No. 416. A joint resolution requesting our Senators and instructing our Representatives in Congress to use their influence in the arrest of slavery, &c.

Which was read a first time, when

Mr. Simonson moved to reject the same;

An the ayes and noes were demanded thereon by Messrs. Hobbs and Hurlbut;

Those who voted in the affirmative are,

Messrs. Allen of Putnam, Athon, Barbour, Boone, Bowles, Chapman, Clark of Tippecanoe, Elder, Gregory, Helwig, Hostetter, McAllister, Mooney, Moore, Palmer, Simonson, Smith, Verbrike, Williams, Wright, and Mr. Speaker.—22.

Those who voted in the negative are;

Messrs. Blakemore, Clark of Hamilton, Hobbs, Holloway, Hurlbut, McDonald, Morgan, Nutter, Parker, Shelby, Simpson, Williamson, and Wolfe—13.

There not being a quorum of members present, the motion to reject failed;

And so the joint resolution passed to a second reading on to-morrow.

On motion,

The House adjourned till half-past one o'clock, P. M.

Half past 1 *o'clock P. M.*

The House met.

Mr. Parker, chairman of the committee on the judiciary, made the following report:

Mr. Speaker:

The judiciary committee to which was referred bill No. 189, of the House, to provide for the payment of expenses for the protection of the school funds and for other purposes, have had that matter under consideration and have directed me to report that the subject matter of the bill is sufficiently provided for in the revision of 1843, they therefore ask to be discharged;

Which report was concurred in, and the committee discharged accordingly.

The following message was received from the Senate by Mr. Otto, its Secretary:

Mr. Speaker :

The Senate have agreed to the amendment of the House of Representatives to an engrossed bill of the Senate of the following title:

No. 43. An act amending the nineteenth section of the twelfth chapter, article seven, of the Revised Statutes of 1843, so far as the same relates to certain counties therein named.

The Senate recede from their second amendment to an engrossed joint resolution of the House of Representatives of the following title:

No. 318. A joint resolution on the subject of the French Lick in the county of Orange.

The following message was received from the Senate by Mr. Otto, its Principal Secretary.

Mr. Speaker:

The Senate have adopted a resolution in the following words:

Resolved, That a committee of two be appointed on the part of the Senate to act with a similar committee on the part of the House of Representatives to wait on His Excellency the Governor, and inform him that the two Houses of this General Assembly have gone through with the business of the session and are now ready to adjourn *sine die*, unless he has some further communication to make;

Mr. Carr of Jackson, and Mr. Stanford, have been appointed a committee on the part of the Senate.

On motion of Mr. Norvell,

The House reciprocated the said resolution in the said message mentioned;

The chair thereupon appointed Messrs. Norvell and Simonson a committee on the part of the House.

Ordered, That the clerk inform the Senate thereof.

The following message was received from the Senate by Mr. Walpole, a Senator:

Mr. Speaker:

I am directed by the Senate to inform the House of Representatives that the Senate has passed bill No. 304, of the House, with two amendments, and ask the concurrence of the House thereto.

Mr. Parker moved that the House concur in the amendments of the Senate to No. 304, in the said message mentioned;

And after discussion had thereon,

Mr. Smith moved the previous question,

Which was seconded;

The question being,

Shall the main question be now put?

It was decided in the affirmative;

The main question was then put, to-wit:

Will the House concur in the said amendments?

And the ayes and noes were demanded thereon by Messrs. Barbour and Gregory;

Those who voted in the affirmative are;

Messrs. Allen of Laporte, Allen of Putnam, Chapman, Clark of Hamilton, Coffin, Conner, Dowling, Foley, Forseman, Gilbert, Gregory, Hannah, Harrison, Hobbs, Holloway, Hudaleston, Hurlbut, Kerr, Lee of Jefferson, Lee of P., Macy, McAlister, McClure, McDonald, Miller of Vanderburgh, Montague, Mooney, Morgan, Norvell, Nutter, Parker, Reed, Roberts of Laporte, Seller, Shelby, Simp-

nos, Smith, Tevis, Verbrike, Williams, Williamson, Wolfe, and Wright —43.

Those who voted in the negative are;

Messrs. Blakemore, Bowles, and Mr. Speaker—3.

There not being a quorum of members present, the motion to concur was lost.

The following message was received from the Senate by Mr. Dobson a Senator:

Mr. Speaker:

The Senate has passed the engrossed bill of the House of Representatives, entitled:

No. 57. An act for the relief of John Sankey of Vigo county, with the following amendment: add Panzy after the word Sankey wherever it occurs in the title;

In which the concurrence of this House is respectfully requested.

On motion,

The House refuses to concur in the amendment of the Senate to No. 57, in said message mentioned:

Ordered, That the clerk inform the Senate thereof.

On motion of Mr. Lee of P.

Bill No. 356, entitled a bill to prevent seduction;

Was taken from the table,

And the motion having been withdrawn to lay on the table;

Mr. Lee moved that the bill be considered as engrossed, and be read the third time now;

Which motion was decided in the affirmative:

The said bill was then read the third time and passed;

Ordered, That the clerk report the same to the Senate and request their immediate concurrence.

The following message was received from the Senate by Mr. Doran, their Assistant Secretary:

Mr. Speaker:

The Senate recedes from its amendment to bill No. 57. An act for the relief of John Sankey.

On motion,

The House adjourned till eight o'clock this evening.

8 *o'clock, P. M.*

The House met.

Mr. Bearss offered the following:

Whereas, a certain remonstrance was presented to this House on the subject of the burnt records of Miami county, which remonstrance was referred to a select committee: *And, whereas*, said remonstrance is now in the possession of one B. H. Scott: Therefore;

Resolved, That the Sergeant-at-Arms be required to call on B. H. Scott and obtain from him a certain remonstrance of citizens of Miami county, on the subject of the burnt records of said county, which remonstrance has been taken away without the consent of this House;

Which was adopted.

Mr. Conner, from the committee on enrolled bills, made the following report:

Mr. Speaker:

The committee on enrolled bills, have compared the bills with the following titles and find them correctly enrolled, to-wit:

No. 278. An act in relation to a state road in Monroe county, and for other purposes;

No. 356. An act to incorporate the Union Mill company in Laporte county;

No. 202. An act in relation to tavern license in Hancock and Carroll counties;

No. 391. An act making specific appropriations for the year 1844.

No. 204. An act to amend an act entitled "An act authorizing the issue of $5 Treasury Notes for the redemption of the $50 Treasury Notes now in circulation," approved Feb. 31, 1842.

No. 410. An act to regulate the practice of law in the Allen circuit court, and for other purposes;

Thereupon the Speaker signed said acts;

Ordered, That the clerk inform the Senate thereof.

The following message was received from the Governor by Mr. Kinder, his private secretary:

Mr. Speaker:

I am instructed by His Excellency the Governor to inform the House of Representatives that he has, this day, approved and signed the following acts and joint resolutions:

No. 272. An act vesting the duties of school commissioners in the county treasurer in certain counties;

No. 345. An act to amend an act entitled "An act to provide for the payment of expenses incurred for the protection of the school funds," and for other purposes, approved Feb. 11, 1843;

No. 339. An act for the relief of the heirs of John Talbott, deceased;

No. 192. An act to amend an act entitled "An act to incorporate the Vevay and Napoleon and other turnpike companies," approved February 8, 1836.

No. 388. An act concerning certain indictments in Scott county;

No. 400. A joint resolution providing that each member of the General Assembly shall have a copy of the Revised Laws of the State;

No. 404. An act to change a certain part of a state road in Clay county;

No. 327. An act for the relief of Henry Engle;

No. 271. An act to require the superintendents on the lines of public works to furnish the Auditor of State with a list of tolls;

No. 311. An act to revive an act to incorporate the Lagro and Manchester turnpike company;

No. 270. An act to provide for changing the time of holding the probate court in the county of Vanderburgh;

No. 280. An act relative to the assessment of canal lands;

No. 249. An act extending the provisions of an act entitled "An act to compel speculators to pay a road tax equal to that paid by actual settlers," approved January 31, 1842, to the counties of Jay and Adams;

No. 220. An act making the road tax on lands in the counties of Fulton, Marshall, White, Pulaski, Jasper, Stark, and Benton, uniform, and for other purposes.

No. 351. An act in relation to the surplus revenue fund in the counties of Jay and Blackford;

No. 370. An act for the relief of Benjamin H. Scott;

No. 286. An act changing the session of county boards;

No. 295. An act for the relief of the heirs and legal representatives of James Shoemaker, deceased;

No. 343. An act for the relief of the heirs of Samuel Howard, deceased;

No. 342. An act to reduce the price of ferriage in Lawrence county;

No. 392. An act to locate a certain state road in Carroll county;

No. 397. An act declaring a certain road therein named a state road;

No. 207. An act relative to overseers of the poor;

No. 173. An act for the relief of the heirs of Melchoir Sooder and James Hays, late of Dearborn county, deceased.

No. 317. A joint resolution relative to international literary exchange;

No. 187. An act giving further time to assessors.

No. 102. An act to postpone the sale of lands forfeited to common school and saline funds;

No. 358. An act to exclude certain territory from the incorporation of Michigan city;

No. 255. An act to authorize the auditor of Hendricks county to become the purchaser of real estate in certain cases therein named;

No. 219. An act in relation to school district No. 5, in township 37 north, of range 3 west, in Laporte county;

No. 315. An act to locate a state road from Gosport, in Owen county, to Columbus, in Bartholomew county;

No. 27. An act for the relief of Curtis Mallory, Treasurer of Hamilton county,

No. 337. An act to establish a state road from Little York, in Washington county, to New Providence, in Clarke county;

No. 103. An act for the relief of Samuel Rockafeller, in Franklin county;

No. 412. An act repealing so much of an act entitled "An act providing for a more uniform mode of doing township business in the several counties therein named," approved Feb. 17, 1838, so much as relates to the county of Clay;

No. 257. An act to further reduce the expenses of Brown and Owen counties;

No. 309. An act to legalize the proceedings of the probate courts and board of commissioners of Miami county, and for other purposes;

No. 352. An act to vacate a part of a state road in Tippecanoe county;

No. 387. An act for the relief of Turner Nelson, clerk of Posey county, and his sureties;

No. 29. An act changing the time for the payment of taxes;

No. 381. An act defining the duties of justices of the peace in Owen county;

No. 373. An act creating a change in a state road therein named;

No. 306. An act vacating an alley in the city of Fort Wayne;

No. 296. An act to provide for electing supervisors of roads in Boone county;

No. 24. An act to amend an act entitled "An act to incorporate the Lawrenceburgh and Napoleon turnpike company," approved Feb. 18, 1840;

No. 288. An act authorizing the election of certain officers in the town of Indianapolis;

No. 228. An act to incorporate the Terre-Haute draw bridge company;

No. 391. An act making specific appropriations for the year 1844;

No. 348. An act providing for the election of one school commissioner in Russel township, Putnam county;

No. 238. An act to raise a revenue for state purposes, and to redeem Treasury Notes;

No. 367. An act for the relief of Jason Ham, treasurer of Wayne county;

No. 407. An act permitting a dry dock at Wabash;

No. 406. An act for the relief of Aquilla Rogers, agent of the three per cent fund of Monroe county;

No. 329. An act providing for removing obstructions in Buck creek, in Henry county;

No. 402. An act to locate a state road in the counties of Porter and Lake;

No. 347. An act to authorize the agent of the surplus revenue of Marion county to sell certain real estate;

No. 301. An act supplemental to an act approved Feb. 10, 1843, relative to water power at Pittsburgh;

No. 374. An act providing for a special term of the Vigo circuit court;

No. 310. An act to vacate and change a certain part of a state road in the counties of Clay and Owen;

No. 368. An act to locate certain state roads therein named, and for other purposes;

No. 333. An act for the better improvement of the important state roads in the counties of Allen, DeKalb, Noble, Huntington, and Wells;

No. 298. An act to repeal an act entitled an act to amend an act entitled "An act to incorporate the city of Richmond, Wayne county Indiana," approved Feb. 24, 1840, approved Jan. 27, 1842;

No. 59. A joint resolution on the subject of reducing the per diem allowance of members of Congress, and for other purposes;

No. 132. An act to amend an act entitled "An act to incorporate the Logansport and Wabash bridge company;"

No. 386. An act to repeal in part a certain law therein named;

No. 405. An act for the relief of Dowling and Cole State Printers;

No. 390. An act providing for the election of an additional justice of the peace in Posey county;

No. 225. An act to change the mode of selecting seminary trustees in the county of Lawrence, and for other purposes;

No. 385. An act for the opening and repairing roads and highways in Hancock county;

No. 283. An act to establish an additional place of holding elections in Jackson township, Washington county;

No. 379. A joint resolution for the relief of William Willard;

No. 395. An act for the relief of Jacob Darringer;

No. 735. An act declaring a certain county road a state road in the county of Clay;

No. 403. An act to authorize the removal of all obstructions that may be across the Rockport road in Lawrence and Monroe counties;

No. 318. A joint resolution on the subject of the French Lick, in the county of Orange;

No. 278, An act in relation to a state road in Monroe county, and for other purposes;

No. 57. An act for the relief of John Sankey of Vigo county;

No. 293. An act regulating the fees of auditor in the counties of Randolph and Grant;

No. 341. An act to detach certain territory from the county of Miami and attach the same to the county of Fulton;

No. 340. An act to vacate a part of the town of Independence, the in county of Warren;

No. 330. An act to establish the Pleasant Hill and Fulton state roads;

No. 316. A joint resolution for the relief of Samuel Campbell, an old and infirm soldier;

No. 361. An act to provide for summoning petit jurors in the Lagrange circuit and probate courts;

No. 391. An act to incorporate the German Evangelical church in Indianapolis;

No. 371. An act to change a certain state road therein named;

No. 362. An act making general appropriations for the year 1844;

No. 411. An act to vacate a certain state road therein named;

No. 376. An act to legalize the location of a state road therein named;

No. 262. An act in relation to awards;

No. 357. An act for the relief of purchasers of school lands in Monroe county ;

No. 328. An act to authorize the trustees of township 25, range 2 west, in Carroll county, to lease the school section of said township for the term of ninety years;

No. 364. An act to authorize the Protestant Episcopal church in this State to raise a fund for the support of a bishop, and to aid itinerant and superannuated ministers, their widows and children;

No. 96. An act to exempt certain lands and tenements therein named, from taxation;

No. 299. An act changing and relocating certain state roads in Delaware county;

No. 360. An act to amend a certain act therein named;

No. 336. An act to elect an additional constable in Ladoga, Montgomery county;

No. 372. An act to change the name of Boxley town in Hamilton county;

No. 237. An act to incorporate the Warren county canal company;

No. 266. An act to reinstate the records of Noble county;

No. 335. An act relative to certain public ground in the town of Wabash and the use and improvement of the water power at the lock on the Wabash and Erie canal at said town;

No. 275. A joint resolution amendatory of "A joint resolution on the subject of counting and cancelling State bonds that have been received by the Treasurer of State," adopted Feb. 9, 1843;

No. 338. An act to incorporate the Richmond turnpike company, and for other purposes;

No. 378. An act to vacate the town of Savannah in the counties of Rush and Shelby;

No. 332. An act to locate a state road in the county of Allen;

No. 274. An act to transfer the books and papers &c., of the office of agent of the town of Indianapolis, and the books, papers, &c., of the Michigan road commissioner, to the office of State Auditor;

No. 334. An act to organize the counties of Tipton and Richardville;

No. 308. An act authorizing the county commissioners of the county of Clark to settle with Joseph E. Moore;

No. 394. An act to vacate the town of Otsego, and for other purposes;

No. 409. An act to amend an act entitled "An act to confine the voters of Tippecanoe, Cass, Porter, Lake, and Franklin counties to their respective townships," and for other purposes, approved Feb. 13, 1843;

No. 413. An act continuing the means for the instruction of the deaf and dumb in this State;

No. 254. An act to provide for the transfer of the management of the saline lands and funds in the county of Orange;

No. 273. An act to repeal the militia law;

No. 356. An act to incorporate the Union mill company of Laporte;

No. 204. An act to amend an act entitled "An act authorizing the issue of $5 Treasury Notes for the redemption of the $50 Treasury Notes now in circulation," approved Feb. 31, 1842;

No. 202. An act in relation to tavern licenses in Hancock and Carroll counties;

No. 410. An act to regulate the practice of law in the Allen circuit court, and for other purposes;

No. 37. An act to amend an act entitled an act providing for the incorporation of towns;"

No. 269. An act to provide for a more efficient mode of expending the road tax in the several counties therein named;

No. 91. A joint resolution relating to an United States' Armory on the western waters;

No. 19. An act to vacate part of the state road leading from Lawrenceburgh to the mouth of the Miami river;

No. 366. An act to incorporate the Frankfort railroad company;

All of which orginated in the House of Representatives.

Mr. Norvell, from the committee appointed on the part of the House to wait on His Excellency, made the following report:

MR. SPEAKER:

The committee appointed on the part of the House of Representatives, to act with a similar committee on the part of the Senate, have waited on His Excellency the Governor, and have received for answer, that he has no further communication to make; and he takes this occasion to wish the members a safe and happy return to their families and friends.

On motion of Mr. Tevis,

Resolved, That the Senate be informed that the House of Representatives have gone through with their legislative business, of the present session and are now ready to adjourn *sine die*.

The following message was received from the Senate by Mr. Defrees, a Senator:

MR. SPEAKER:

I am directed by the Senate to inform the House that they have reciprocated the resolution of the House, informing the Senate that it had gone through with its legislative business, and are now ready to adjourn.

Whereupon, Mr. Norvell moved that the House do now adjourn *sine die*.

When the Speaker, Mr. Robinson, rose in his place and said:

GENTLEMEN:—The labors of the present General Assembly are now completed, and we are about to return to our constituents. With that constituency resides the power to approve or condemn what we have done. Legislation, at all times, a difficult and delicate task, is often impeded, and its benefits destroyed, by the conflicts of party, by local interests, or by individual prejudices. These causes, I am happy to say, have had but little influence over our deliberations. The example which we have set of shortening the annual session from ten or twelve weeks, as in former years, to the short period of six weeks, I sincerely hope will be followed by those who are to succeed us in this Hall. I will take this occasion to allude, briefly, to one of the great evils of the present age, and that is *excessive legislation*. Many of our laws are not permitted to remain in force twelve months before they are modified or repealed, and different enactments substituted. These frequent and sudden changes produce doubt and uncertainty, promote litigation, and render our dearest rights insecure, and often unprotected. "*The World is governed too much*," is a truism as applied to the whole civilized World, but in Indiana, it is realized and felt in its fullest force. By curtailing the session, we have done all that it is possible to do, under our present Constitution, to prevent the

evil of too much legislation. That Constitution, unfortunately, requires annual sessions of the General Assembly. It is to be hoped that the people will, ere long, acting in their sovereign capacity, amend it so as to provide for biennial instead of annual sessions. When we are about to separate, (perhaps so far as some of us are concerned, forever,) after having been associated together, for so many weeks, engaged in efforts to promote the good of our common country, let not the recollection of any unpleasant incident to which the conflict of interest may have given rise, cloud our minds. If there have been for a moment, feelings of anger or ill will between individual members, *those feelings should all be buried here*, and not be carried beyond these walls. If any one is disposed to cherish other emotions than those of kindness, let him recollect that "*he should forgive as he hopes to be forgiven.*" But I am satisfied that these feelings do not exist; kindness and harmony have, in an eminent degree, characterized your intercourse, and I take the greatest pleasure in bearing witness to the fidelity with which you have discharged your arduous duties.

For myself, I am happy in saying, that I have at all times received that support, and that encouragement at your hands, which so much lightens the burthens of a presiding officer, and without which, he cannot expect or hope to succeed. For this support, I tender you my warmest thanks, and, to the latest day of my life, I shall recollect it with gratitude and pleasure. Of the the manner in which my duties have been discharged, it does not become *me* to speak. That judgment, it is for you, gentlemen, and the country, to pronounce. I have at all times been actuated by a desire to perform my duty with impartiality, and have entertained the best and kindest feelings towards each individual member of this House. Those feelings I shall cherish through life; and when, hereafter, we meet, our intercourse has been such, I trust, that *we may meet, not merely as friends, but as brothers.* May honor attend you through life, and and on your return to your families and firesides, may you find health, happiness, and repose.

I now perform the last duty incumbent upon me, by declaring this House adjourned *sine die.*

Attest:

WILLIAM H. ENGLISH,
Principal Clerk.
WM. JENNINGS VAWTER,
Assistant Clerk.

QUESTIONS OF ORDER.

Rule 60. "The Principal Clerk shall keep a journal of the decisions of the Chair, to be inserted at the close of the Journal of the House."

DECEMBER 30th, 1843.

Mr. Bowles asked, and obtained leave, to introduce bill No. 204, entitled "An act to amend an act authorizing the issue of $5 Treasury Notes for the redemption of $50 Treasury Notes now in circulation," approved January 31st, 1842; and the same having been twice read, (the rule being suspended therefor,) and referred to the committee of the whole, discussed, and reported back to the House. Mr. Gorman, pending the discussion in the House, raised the following point of order: *That as the bill contemplated a charge on the people, it could not be discussed on that day*, and cited the chair to the 51st rule of the House. The Speaker decided the discussion in order, and no appeal was taken.

JANUARY 13th, 1844.

Joint resolution of the Senate, No. —, having been amended by the House, and the Senate having refused to concur, and the usual legislative action being first had, a committee of free conference was appointed on the part of the House, (consisting of two members,) to act with a similar committee, on the part of the Senate, to take into consideration, and adjust the matter of difference between the two Houses; said committee met, and the two appointed on the part of the Senate, and one of the members on the part of the House, agreed upon, and adjusted the subject of difference, which was reported back to the House by the member of the committee so agreeing. Mr. Barbour, the other member of said

committee, raised a point of order on the reception of the report, *that the action of the committee, and the report, must be unanimous, and that a bare majority was not sufficient*; and of that opinion was the chair, and so said report was decided out of order. Mr. Lee of Posey and Williamson of Wayne appealed, and the question being taken, "shall the decision of the chair stand as the judgment of the House ?" It was decided in the affirmative.—Ayes 60, Noes 13.

WILLIAM H. ENGLISH,

Principal Clerk, H. R.

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On ind. post. bill 302, for relief of Alexander Beard, - 502
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On reconsidering vote last aforesaid, - - - - 505
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On Mr. Huddleston's amendment to same bill, - - 531
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On Mr. Morgan's amendment to H. bill 391, making specific appropriations for the year 1844, - - - 533
On Mr. Parker's amendment to same bill, - - - 534
On Mr. Gorman's amendment to same bill, - - - 535
On Mr. Elder's amendment to same bill, - - - 535
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On joint resolution No. 400, relative to each member having Revised Code, - - - - - - 541
On Sen. bill 134, incorporating Lawrenceburgh and Indianapolis turnpike company, - - - - - 543
On engrossment of H. bill 238, to raise revenue, - - 414
On reconsidering vote on H. bill 391, making specific appropriations, - - - - - - - 546
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On amendments to H. bill 393, defining duties of Treasurer of State, - - - - - - 596
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BILLS WHICH ORIGINATED IN THE HOUSE OF REPRESENTATIVES.

Number.	TITLES.	Introduced.	Proceedings &c.	Passed House.	Passed Senate.	Other proceedings.	Approved.
3	A bill reducing the fees and salaries of various officers therein named, - - -	48	96				
4	A bill for the relief of the county of Cass, -	48	71				
5	A bill to postpone the sale of delinquent lands and town lots, for the year 1842, - -	48	118, 119, 140				
6	A bill to abolish the office of county auditor in the county of Warrick, and for other purposes, - - - - - -	48	71, 219	220	497		598
7	A bill to authorize Sarah Ann Lockwood, a minor, to unite with her husband Charles U. Lockwood, in the conveyance of real estate,	48	71	96	207	268	268
8	A bill to organize a new county out of the county of Dearborn, - - - -	48	72, 179, 220, 272	273	344		361
9	A bill to repeal an act to authorize the removal of the obstructions to the free passage of the water down Mud creek and the mill fork of Eel river, in Morgan county, approved Feb. 10, 1841, - - - - -	48	72, 227	97		267	268

10	A bill for the relief of Persis Hubbard, a minor heir of Brigham Hubbard, deceased, -	48	72	97	474		397
11	A bill amendatory and supplemental to an act entitled "An act regulating the salaries of Auditor, Secretary, and Treasurer of State," approved Feb. 4, 1841, - - -	49	96				
12	A bill for the relief of Michael Fitzgibbon, -	50	72, 192, 221	221			393
13	A bill to amend the seventh section of the second chapter of the Revised Statutes, passed at the twenty-seventh session of the General Assembly, - - - - -	58	72, 81				
16	A bill in relation to probate courts in Dubois county, - - - - - -	60	92, 188	188	263		371
17	A bill authorizing a special term of the Switzerland circuit court, - - - -	60	83				
18	A bill for the relief of citizens of Lake county, - - - - - - -	60	92, 131, 189	189	345		599
19	A bill to vacate a state road therein named, -	60	92, 399, 433	433	579		632
20	A bill to repeal a part of the act incorporating the Dearborn co. manufacturing company, -	60	73				
21	A bill legalizing the proceedings of the board of commissioners of the county of Allen, at a special session thereof, - - - -	60	73	97	207	267	268
22	A bill to authorize the transfer of bank stock in payment of saline lands, - - - -	60	92, 149				
23	A bill to extend the jurisdiction of probate courts, and amendatory of an act entitled "An act to organize probate courts, and defining the powers and duties of executors, admini-						

BILLS WHICH ORIGINATED IN THE HOUSE OF REPRESENTATIVES—*Continued.*

Number.	TITLES.	Introduced.	Proceedings &c.	Passed House.	Passed Senate.	Other proceedings.	Approved.
	strators, and guardians," approved Feb. 17, 1838,	61	92, 542				
24	A bill to amend an act entitled "An act to incorporate the Lawrenceburgh and Napoleon turnpike company," approved February 13, 1840,	61	92, 324, 441		580	582	629
25	A bill to repeal an act regulating the sale of real estate by executors, administrators, and guardians, approved Feb. 9, 1843,	61	73, 126				
26	A bill to repeal certain laws therein named,	61	73, 127, 138, 285				
27	A bill for the relief of Curtis Mallery, treasurer of Hamilton county,	62	71, 220	360	571		628
28	A bill for the relief of Cornelius Ferree,	62	71, 298				
29	A bill postponing the time for the payment of taxes,	64	95, 97, 225	225	580	582	629
30	A bill incorporating the First Presbyterian Church of Decatur county,	65	94, 188	188	474		
31	A bill to locate a state road in the county of Daviess,	65	93, 399, 433	433	579		606

32	A bill in relation to county treasurers, etc., -	67	94				
33	A bill amendatory of the laws on the subject of estrays, ...	69	93				
34	A bill regulating the boundaries of the counties of Warrick and Gibson, . .	69	94	188	474		599
35	A bill to amend an act entitled an act to abolish imprisonment for debt, approved Jan. 13, 1843, ...	69	93				
36	A bill to repeal the third section of an act entitled an act, (approved Jan. 20th, 1843,) which provides for the reception of certain treasury notes for all debts, principal and interest, due for all school funds loaned or for school lands sold, ...	69	93				
37	A bill to amend an act entitled an act providing for the incorporation of towns, -	69	93, 191, 220	220	519	525	632
38	A bill relating to appeals from the judgments of justices of the peace, - - - -	69	93				
39	A bill to amend an act entitled an act to organize probate courts, and defining the duties and powers of executors, administrators, and guardians, approved Feb. 17th, 1838, -	69	93, 126				
40	A bill to repeal in part an act entitled an act to provide for the reception of certain treasury notes in payment of county revenue, and for other purposes, approved Jan. 20th, 1843, - - - - - -	69	93				
41	A bill to provide for the establishment of an additional place of holding elections in Ver-						

Number.	TITLES.	Introduced.	Proceedings, &c.,	Passed House.	Passed Senate.	Other proceedings.	Approval.
	million county, - - - -	69	93, 133	186	263		371
42	A bill subjecting mills situate in the bed of navigable streams to taxation, - -	70	93, 187, 393				
43	A bill for the relief of settlers on canal lands,	70	93				
44	A bill to prevent the sale of lands mortgaged to common school fund, - - -	70	92, 127	434			
45	A bill to reduce the salaries of the Governor of the State and other officers, - -	74	75, 76, 77				
46	A bill for the benefit of persons who are likely to suffer by the destruction of the records of Miami county by fire, - - -	81	85	85	173		234
47	A bill for the relief of Charles Roy, - -	82	96				
48	A bill appointing a commissioner and authorizing him to convey certain real estate in a case therein named, - - -	82	96, 192				
50	A bill to vacate the town of Lagrange, -	85	96, 219	220			599
51	A bill regulating the rates of tolls at the several water mills in this State, - -	85	96				
52	A bill concerning marks and brands, - -	85	95, 135	189	519		599

53	A bill to repeal a certain act therein named, -	85	95, 135, 440				
54	A bill to declare the Mississinewa river a public highway, - - - - -	85	95	188	519	525	606
55	A bill to change the times of holding probate courts in Martin county, - - -	85	95	188	263		341
56	A bill to apply all moneys arising from the sale of estrays to the use of common schools,	88	154	435	578		609
57	A bill for the relief of John Sankey, of Vigo county, - - - - - -	90	154, 310	435	626		631
58	A bill reviving and amendatory of an act entitled an act for the relief of the settlers on Wabash and Erie canal lands, approved February 24th, 1840, - - - - -	90	153, 194, 261, 274, [361, 440, 458	458			
64	A bill to restrict the assessment of poll tax in the county of Spencer, - - - -	91	141	189			372
65	A bill to reduce the expenses of the state government, and for abolishing the offices of commissioner on the Wabash and Erie canal east and west of Tippecanoe, - -	91	141				
66	A bill to amend an act entitled 'an act applying certain funds to purposes of education,' approved Jan. 31st, 1843, - -	91	141, 366				
67	A bill granting divorces in certain cases, -	91	141, 371				
68	A bill to repeal a part of an act regulating the taking up of animals going astray, and water craft and other articles of value adrift,	92	141				
70	A bill to repeal the law authorizing the election of prosecuting attorneys by the people,	100					

BILLS OF THE HOUSE—*Continued.*

Number.	TITLES.	Introduced.	Proceedings, &c.	Passed House.	Passed Senate.	Other proceedings.	Approved.
71	A bill to preserve the purity of elections in Floyd county,	102	156, 328				
72	A bill regulating elections in the counties of Adams and Jay,	102	145	188	263		372
73	A bill amendatory and supplemental to an act entitled, 'an act providing for the election of three school commissioners in township No. 14 north, of range No. 7 west, in Parke county,' approved January 13th, 1842,	104		180	220		397
74	A bill to abolish private secretary of Governor,		220				
75	A bill to extend the provisions of certain laws therein named to the county of Wabash,	105	156, 219	220			
76	A bill to relocate a state road in Sullivan county,	105	145, 307, 433	433	579		606
77	A bill to amend an act entitled, 'an act to value property of this State,' approved Feb. 12th, 1841,	111	156, 325				

78	A bill for the relief of George Mickle, -	111	144, 310				
79	A bill authorizing the school commissioner of Vanderburgh county to refund certain moneys, - - - - - -	111	180, 227	434	579		606
80	A bill repealing the act authorizing the reception of canal scrip for tolls on the Wabash and Erie canal, - - - - -	111					
81	A bill creating the county of Cicero, -	111	156, 404				
82	A bill to extend the time for the payment of taxes, and for other purposes, - -	118	154	224			
83	A bill to abolish the office of State Librarian,	122	154				
84	A bill to repeal a part of an act on the subject of the New Albany and Vincennes road,	124	198, 429	547			
85	A bill to authorize the school commissioner of Pike county to loan the common school fund of said county on personal security,	127	154	172			398
86	A bill extending the provisions of a certain act therein named to the county of Kosciusko, - - - - - -	130	219	220			599
87	A bill to prevent speculation in Treasury Notes, made receivable for county revenue, and other purposes, - - - -	130	154	212			
88	A bill vacating a certain alley therein named in the town of Delphi, - - -	136	157, 219	220			398
89	A bill regulating the salary of the county auditor in the county of Fountain, - -	136	144	136	144		537
90	A bill defining the duties of county auditors and treasurers in this State, - - -	139	157	360			

BILLS OF THE HOUSE—*Continued.*

Number.	TITLES.	Introduced.	Proceedings, &c.	Passed House.	Passed Senate.	Other proceedings.	Approved.
92	A bill further retrenching the salaries of State officers, - - - - - -	139					
94	A bill relating to the proof of title to state lands, - - - - - -	139	192	220			398
96	A bill to exempt certain lands in the counties of Randolph and Delaware from taxation,	140	156, 274	435	580	582	631
97	A bill relative to the property of the Roman Catholic Church, - - - -	140	180, 277, 283, 296				
98	A bill for the relief of George Belshaw, -	140	192, 219	220			98
99	A bill authorizing the location and re-opening of the Indianapolis and Fort Wayne state road, - - - - - -	140	154, 491				
100	A bill to extend an act entitled, 'an act to compel speculators to pay a road tax equal to that paid by actual settlers,' approved Jan. 31st, 1842, - - - - -	140	140	149	207	267	268

101	A bill to provide for the election of Agent of State, State Printer, Commissioner or Superintendent of Wabash and Erie canal, and other officers, by viva voce, -	147	163	164	207		268
102	A bill for the relief of Peter Everhart, -	149	183		580	582	629
103	A bill for the relief of Samuel Rockafeller, of Franklin county, - - - -	150	183, 228	433	580	582	629
104	A bill concerning licensing of auctioneers in the city of Fort Wayne, - -	151	183	220			398
105	A bill to amend an act entitled, 'an act relating to the seminary fund in Cass county,' approved Feb. 11th, 1843, - -	152	183, 300	435	578		609
106	A bill for the encouragement of domestic manufactures, - - - - -	153	183, 219	220	519		598
107	A bill for the better securing of and collecting the revenue of the State of Indiana, -	153	207, 254				
108	A bill declaring Lick creek and Lost river navigable streams and public highways, -	153	186				
109	A bill to change the name of Henry Bragg to the name of Henry Rittenour, and for other purposes, - - - - -	153	183	220	474		599
110	A bill to change the name of David Barker to the name of David Dobbins, - -	153	183	220			398
111	A bill to repeal an act therein named, -	153	183, 255	438			
112	A bill to provide for a more uniform mode of doing township business in the county of Hamilton, - - - - -	153	183, 296	435	578		609

Number.	TITLES.	Introduced.	Proceedings, &c.	Passed House.	Passed Senate.	Other proceedings.	Approved.
113	A bill to amend an act to authorize the commissioners of certain counties therein named to equalize the appraisement of real estate in said counties, - - -	153	183	360	519		599
114	A bill amending an act exempting improvements from taxation for county purposes in certain counties therein named, -	153	207, 301				
115	A bill abolishing the office of circuit prosecuting attorney, and the salary thereof paid by the State, and for the election of a prosecuting attorney in each county,	153	207, 298				
116	A bill on the subject of scire facias, - -	167	208	220			
117	A bill correcting a discrepancy in the estray law, - - - - - -	168	208	220	519		599
118	A bill for the relief of the owners of certain lands in Cass county, - - -	169	208	221			
119	A bill for the relief of Stephen Kitson, -	171	172, 208, 219	220			
120	A bill to provide for the relocation of the seat of justice in Martin county, - -	172	208, 219	220	473	474	599

121	A bill concerning the appraisement law, -	172	207				
122	A bill to authorize Charles Nelson to build a mill dam across the Wabash, - -	172	208	220			398
123	A bill declaring a certain road in Steuben county a state road, - - -	173	208, 219	220			398
124	A bill to apply saline funds to common school purposes, - - - -	173	304	438	579	578	608
125	A bill to vacate a certain alley in the town of Bloomington, Monroe county, - -	174	174, 208	220			398
126	A bill regulating the rate of tolls on the Wabash and Erie canal, - - -	177	177, 229, 308	441			
127	A bill for the relief of purchasers of congressional school lands, - - -	177	208, 316, 433				
128	A bill to revise an act entitled, 'an act to establish a board of trustees of Marion county library, - - - - -	177	208, 227	434			
129	A bill to reduce the compensation of the county auditor of the county of Ripley, -	177	177	177		267	268
130	A bill to amend an act entitled, 'an act supplemental to an act subjecting personal property to execution, - - -	177	215				
131	A bill to amend fourth article of the sixteenth chapter of the Revised Statutes of 1843,	177	208, 219	220	263		382
132	A bill to amend an act entitled, 'an act to incorporate the Logansport and Wabash bridge company, - - -	177	208, 255	434	579		630
133	A bill changing the application of water power at the St. Mary's aqueduct on the Wabash and Erie canal, - - -	177	228, 301, 356	413	519		571

BILLS OF THE HOUSE—*Continued.*

Number.	TITLES.	Introduced.	Proceedings, &c.	Passed House.	Passed Senate.	Other proceedings.	Approved.
134	A bill authorizing the building of an aqueduct across the St. Mary's river, - -	177	207, 208, 311				
135	A bill to suspend further issues of five dollar Treasury Notes in lieu of fifties, -	178	207, 253	433	480		607
136	A bill to provide for the payment of taxes by non-residents, - - - - -	178	215, 254, 441, 472				
137	A bill amending an act therein named, -	178	208				
138	A bill relative to the surplus revenue in Union county, - - - - - -	178	208	220			
139	A bill relative to the collecting of debts due from the Lawrenceburgh and Indianapolis Railroad Company, - - - -	178	215, 256	437	578		609
140	A bill to legalize the acts of the school commissioner of Martin county, - -	178	215	435	578		609
141	A bill to enable the State Bank, &c., to continue metalic payments, - - -	178	178, 215, 454				
142	A bill to divorce Sidney Brown, of Whitley county, &c., - - - - -	180	207, 370				

143	A bill to legalize the sale of certain real estate of the minor heirs of James Whitaker, of Noble county, - - - -	186		186	163		372
144	A bill relative to tolls on the New Albany and Vincennes road, &c., - -	192	458, 463, 495	517	579		
145	A bill relative to the practice in the circuit court, - - - - -	193	215	435	579		608
146	A bill appointing county commissioners seminary trustees for Carroll county, -	193	215	435	578		608
147	A bill to amend an act for the regulation of the State Prison, - - - -	197	216, 306	438	571		606
148	A bill relative to the appointment of township assessors in certain cases, &c., - -	200	215	422	527	529	609
152	A bill extending a certain act therein named to the county of Spencer, - - -	202	215	435	578		609
153	A bill to amend an act to provide for the [keeping of the] State House and Library, - - - - - -	202	216	554			
154	A bill relating to the county board in the county of Warrick, - - -	202	216	435	579		609
155	A bill fixing rate of tolls for grinding, -	202	215				
156	A bill extending certain laws to the county of Randolph, - - - - -	202	215	435	578		609
157	A bill to reduce the fees of several officers therein named, - - - - -	202	216, 376, 381				
158	A bill to retrench the expenses of State, -	202	203, 216, 452				
159	A bill to amend an act for the better regulation of general elections, - - -	203	216, 364				

BILLS OF THE HOUSE—*Continued.*

Number.	TITLES.	Introduced.	Proceedings, &c.	Passed House.	Passed Senate.	Other proceedings.	Approved.
160	A bill to limit the trustees of Evansville, -	203	255	435	578		609
161	A bill to legalize the records of roads in the county of Clay, - - - - -	203	216, 307	435	579		607
162	A bill to authorize clerk of circuit and probate courts to appoint guardians, - -	203	216				
163	A bill regulating fees of clerks of circuit court, - - - - - -	203	217, 324				
164	A bill defining the eastern boundary of Rush county, - - - - - -	203	217, 324				
165	A bill to suspend the pay of members in certain cases, - - - - - -	204	217, 219, 358				
166	A bill to reduce the appraisement of certain canal lands, - - - - -	204	217, 374				
167	A bill to amend an act subjecting real and personal property to execution, - -	204	217				
168	A bill relative to decedents, distribution, and dower, - - - - - -	204	216				
169	A bill to regulate the sale of real estate by excutors, &c. - - - - -	211	212				

170	A bill to extend certain privileges to Josephus C. Worrall,	212	237					
171	A bill increasing road tax in Steuben and De Kalb counties,	213	238, 439	548				
172	A bill granting certain lands in Lake county for burying grounds,	213	238	434	579			607
173	A bill for the relief of the heirs of M. Sooder, &c.	213	238	435	598			628
174	A bill relative to the duties of school commissioners, county auditors, county treasurers, and county commissioners,	215	238, 383	441				
175	A bill appointing commissioners to locate a State road in Jay and Blackford counties,	231	357	434	579			606
177	A bill attaching certain territory to the counties of Miami and Fulton,	234	359, 403					
178	A bill to amend an act in relation to descents, distribution, &c.,	234	259, 450					
179	A bill to provide for the relinquishing saline lands in the county of Orange,	234	259, 304	438				
180	A bill abolishing the office of county auditor in certain counties,	234	259, 383	436	560	583, 594		609
181	A bill regulating the election of S. trustees in the counties of Allen, Steuben, and DeKalb,	234	357	435				
182	A bill for the vacation of the town of Otsego, and other purposes,	234	357, 439					
183	A bill providing for school tax in the counties of Adams and Jay,	235	357	434				
184	A bill regulating the selection of grand jurors in Randolph county,	235	357	435	579			606

BILLS OF THE HOUSE—*Continued.*

Number.	TITLES.	Introduced.	Proceedings, &c.	Passed House.	Passed Senate.	Other proceedings.	Approved.
185	A bill authorizing the re-location of a State road in the county of Allen, - -	235	357		579		
186	A bill to change the name of Rachel Will, -	235	285, 357	433	579		606
187	A bill giving further time to assessors of Montgomery county, - - - - -	235		505	593		629
188	A bill concerning grand and petit jurors in the counties of Crawford and Perry, -	235	356	434			
189	A bill to amend an act entitled an act to provide for expenses incurred for protection of S. lands, - - - - - -	235	358, 624				
191	A bill to amend an act entitled an act granting to the citizens of Madison and Lawrenceburgh a city charter, - - -	235	359, 401	433	580		606
192	A bill to amend an act entitled an act to incorporate the Vevay and Napoleon, and other turnpike companies, - - -	235	359, 401	434	581	582	628
193	A bill to vest in foreigners title to real estate,	235	358				
190	A bill to legalize the first and seventh judicial circuits, - - - - -	236	440, 496				

194	A bill to establish a certain road therein named a State road,	236		236	474		599
195	A bill to improve the breed of sheep,	236	311	435	578		609
196	A bill to amend an act entitled an act applying certain funds to purposes of education,	236	[366 285, 290, 292, 319,				
197	A bill to give effect to an act therein named,	259	356	434	579		607
200	A bill to extend the time of holding courts probate in Dearborn county,	259	356	434	579		607
201	A bill to incorporate the Porter County Manufacturing Company,	259	359	402	513		599
198	A bill to legalize the proceedings of county commissioners of Greene county,	259		259	262	372	
199	A bill for the relief of Postmasters,	259	Rejected, 259				
202	A bill relative to tavern license in Carroll county,	267	356	434	580	583, 611	632
205	A bill for the relief of John Law, &c.	285	357	437	578		609
204	A bill to amend an act relative to Treasury Notes,	280	[432, 415 292, 302, 303, 330	548	610		632
206	A bill amending the criminal law,	297	357	433	579		607
207	A bill relative to overseers of the poor,	298	357	435	581		628
208	A bill to legalize the acts of school commissioner of Benton county,	304	357	433	579		607
209	A bill in relation to examiners of common school teachers,	305	359, 457, 548				
210	A bill to divorce Martin Schmall,	305	358, 370				
211	A bill to provide for keeping in repair a turnpike road from Lafayette to Crawfordsville,	308	359	433	579		606
212	A bill supplemental to an act entitled an act relating to the seminary fund in Cass county,	317	358				

Number.	TITLES.	Introduced.	Proceedings, &c.	Passed House.	Passed Senate.	Other proceedings.	Approved.
213	A bill to authorize Job Meredith to build a mill dam, &c. - - - - - -	318	357	433	579		606
214	A bill for the relief of the heirs of George Bishop, late of Jay county, - -	318	357	433	578		609
215	A bill relative to a State road in Steuben county, - - - - - -	319	357	435	578		606
216	A bill for the relief of Thomas C. Stewart of Pike county, - - - - -	319	357	435	578		606
217	A bill to change the mode of selecting petit jurors in Blackford county, - -	322	357	435	579		606
218	A bill in relation to the county auditor of Monroe county, - - - - -	323	357	433			
219	A bill in relation to school district No. 5, &c. in Laporte county, - - - -	323	356	434	579		629
220	A bill making the road tax in the counties of Fulton, &c. uniform, - - -	323	358	547	600		628
221	A bill supplemental and amendatory to an act entitled an act to provide for the reduction of stock in State Bank, - - - -	327	357	441			

222	A bill in relation to the Bank tax fund in the Treasury,	364					
223	A bill amendatory of the execution laws,	366	442, (lost on engr't,)				
224	A bill for the relief of justices of the peace,	366		415			599
225	A bill to change the mode of selecting seminary trustees in Lawrence county, &c.	367		445	579		630
226	A bill to amend an act entitled an act to establish and regulate ferries,	373		443	578		603
228	A bill to incorporate the Terre Haute drawbridge company,	374		444	572		629
229	A bill to incorporate the Noland's Fork canal company,	375	445	493			
230	A bill to incorporate the Michigan road company,	375	445	493			
231	A bill to improve the navigation of Sugar Creek,	375	414	435	578		606
232	A bill for the relief of Hetty Clark,	376	414				
233	A bill to authorize the genereal superintendent of the Wabash and Erie canal to drain a certain pond,	376	495				
234	A bill for the relief of M. C. Atkins,	383		413			
235	A bill to alter the western boundary of the county of Blackford, &c.	384	415				
236	A bill to change the name of Black Hawk to that of Mount Auburn,	384	414	434	579		606
237	A bill to incorporate the Warren county canal company,	385	415	419	577		631
238	A bill to raise revenue for State purposes, and to redeem Treasury Notes,	385	414	437	572	572, 573	630

Number.	TITLES.	Introduced.	Proceedings, &c.	Passed House.	Passed Senate.	Other proceedings.	Approved.
239	A bill to locate a State road in Posey county,	388		445			
240	A bill to repeal a road law in Posey county,	388		445			
241	A bill declaring Big Creek a navigable highway, - - - - - -	388	499	445			
242	A bill for the relief of Sam'l W. Sprott, -	388		445	578		606
243	A bill in relation to a road tax in the county of Elkhart, - - - - -	388		445	580		605
244	A bill declaratory of the law in a special case in Fayette county, - - -	388		445	580		606
245	A bill repealing law requiring deeds to be examined by auditor in Switzerland county, -	388	445				
246	A bill to amend the road law, - -	388	445, 491	539			
247	A bill for the relief of W. B. Townsend, -	388		445	580		607
248	A bill to repeal the law authorizing forfeiture of lands to the State for non-payment of taxes, - - - - - -	388	499				
249	A bill extending the provisions of an act therein named to the counties of Randolph, Jay, and Adams, - - - - -	389		548	600		628

250	A bill fixing the time of holding courts in 10th judicial circuit, - - - - -	389	445	547		583		
251	A bill to prevent malicious prosecution in criminal cases, ...	389	445					
252	A bill authorizing certain suits to be brought in the name of the State, . . .	389	446					
253	A bill to vacate the town of West Point, .	389		445	580			606
254	A bill to provide for the transfer of saline lands and funds in Orange county, . .	389	446	547	600			632
256	A bill to organize the new county of Whitcomb, ...	389	446					
260	A bill to amend the practice of law in the county of Shelby, ...	389	446	547				
261	A bill to change the time for the convening of General Assembly, ...	389	445					
262	A bill in relation to awards, ...	389	445,463	468	577			631
263	A bill to provide for election of prosecuting attorney in each county, &c, . .	389	446, laid on table.					
265	A bill relative to the road law in Perry county,	389		445				
266	A bill to reinstate the records of Noble county,	389	446	517	602			631
267	A bill fixing the time of holding courts in the 12th judicial circuit, &c, ...	389	446	547	582			
270	A bill to change the time of holding probate courts in Vanderburgh county, . .	389		500	601			628
271	A bill to require superintendent on public works to furnish a list of tolls to the Auditor of State, ...	389		499	601			628
273	A bill to repeal a part of militia law, . .	389	499	501	601			632
274	A bill to transfer books, &c, of com'rs. of Mich-							

Number.	TITLES.	Introduced.	Proceedings before passage.	Passed Senate.	Passed House.	Other proceedings.	Approved.
	igan road lands, and agent of town of Indianapolis to State Auditor's office, . .	389	499	547	601		
255	A bill to authorize county auditors to bid on property in certain cases, . . .	390		468	576		629
257	A bill to further reduce the expenses of Brown and Owen counties, . . .	390	529	390	527		629
258	A bill to amend 11th art. of the 12th chapter, Revised Statutes of 1843, . . .	390					
259	A bill to provide for the erection of a bridge in the county of Orange, . . .	390		390	580	611,621	
264	A bill as to jurors in Union county, . .	390					
268	A bill to amend the road law, . .	390	457				
269	A bill to amend the road law, . .	391		547			
269	A bill to provide for a more efficient mode of expending road tax, &c, ...	391		434	580	582	632
272	A bill vesting the duty of school com'r. in the county treasurers in certain counties, .	391			519	525	628
276	A bill declaring a misprint in the Revised Statutes of 1843, ...	391		391	519		599

277	A bill for the relief of David D. Weddle, .	391		434	579		606
278	A bill in relation to a state road in Monroe county, &c, ...	391		433	580	583,611	631
280	A bill relative to assessment of canal lands, .	391		509	601		628
281	A bill to preserve the purity of elections, .	391	421				
282	A bill relative to the road law in the county of Warrick, ...	392		392	519		599
283	A bill to establish an additional place of holding elections in Washington county, .	392		501	601		630
284	A bill to locate a state road on the line between Lagrange co., Steuben, &c, .	393		393	519		599
285	A bill to repeal certain sections of an act therein named, ...	393	456,548				
286	A bill changing the sessions of the county boards, ...	399		502	602		628
287	A bill for the relief of John Cooprider, .	400	501				
288	A bill authorizing the election of certain officers in the town of Indianapolis, . .	400		501	601		629
289	A bill in relation to a road tax in the town of Laporte, ...	400		400	519		599
290	A bill incorporating the Delphi water works company, ...	401		401	519	525	606
291	A bill to incorporate Union Evangelical or Lutheran and German reformed church, .	402		502	601		631
292	A bill to vacate a part of a state road in Putnam county, ...	402	433	433	579		605
293	A bill regulating the fees of auditor in the county of Randolph, . . .	403		445	480	582	631

Number.	TITLES.	Introduced.	Proceedings &c.	Passed House.	Passed Senate.	Other proceedings.	Approved.
294	A bill to repeal a part of an act to provide for the transfer of county surplus funds to the hands of county treasurer, so far as relates to Switzerland county,	403	502				
295	A bill for the relief of the heirs &c., of Jos. Shoemaker,	403		5 02	601		628
296	A bill to provide for the election of supervisors by road districts, in Boone county,	408		434			629
298	A bill to repeal a portion of the charter of the city of Richmond,		502	547	600		630
299	A bill relocating a certain state road in Delaware county,			502	602		631
300	A bill for the relief of Priscilla Lazenby, and others,	421	502				
301	A bill supplemental to an act relative to water power at Pittsburgh,	422		502	603		630
302	A bill for the relief of Alexander Beard,	423	502				
303	A bill relative to the assignment of canal land certificates,	423		502			

304	A bill for the relief of John Smith, - -	423	509	547	625	
305	A bill authorizing the superintendent of the W. & E. canal to construct a bridge across said canal in Tippecanoe county, - -	424				
306	A bill vacating a certain alley in the city of Fort Wayne, - - - - -	425		502	601	629
307	A bill authorizing the building of a bridge across the Wabash and Erie canal at Huntington, - - - - -	425	509			
308	A bill authorizing the county commissioners to settle with Jos. E. Moore, - -	429		502	603	632
309	A bill to legalize the proceedings of the probate court and board of commissioners in Miami county, &c., - - - -	430		501		629
310	A bill to change a certain part of a state road in the counties of Clay and Owen, - -	430		499	601	630
311	A bill to revive an act to incorporate the Lagro and Manchester turnpike company, -	430	499, 544	555	602	628
312	A bill to legalize the proceedings of the Wolfe creek Regular Baptist Church, in Boone co., -	431		431	579	605
313	A bill for the benefit of the school fund in Cass county, - - - -	431		499		
314	A bill for the relief of Michael McCall, -	431	499, 559			
315	A bill to locate a state road from Gosport to Columbus, - - - - -	431		498	602	629
319	A bill to provide for the loaning of school funds in Vigo county, - - - -	434		434	527	606
320	A bill to amend the second article of the forty-second chapter, Revised Statutes, 1843. -	439		501		

Number.	TITLES.	Introduced.	Proceedings &c.	Passed House.	Passed Senate.	Other proceedings.	Approved.
321	A bill relative to tax titles, . . .	450		450			
323	A bill in relation to sales of lands mortgaged for loans of college and sinking funds, .	450		506			
324	A bill for the relief of the securities of Hart and Tate, of Henry county, . .	451	507				
327	A bill for the relief of Henry Ingle, . .	456		507	604		628
328	A bill to authorize the leasing of certain school lands in Carroll county, . . .	457		457	576		631
329	A bill providing for the removal of obstructions in Mud creek, ...	459		459	602		630
330	A bill to locate a state road from Pleasant Hill to Fulton, etc., ...	460		548	600		631
331	A bill for the relief of O. McNamer, &c., .	460	508				
332	A bill to locate a state road in Allen county, .	460		506	577		632
333	A bill to improve roads in Allen, DeKalb, and certain other counties, . . .	460		507	577		630
334	A bill to organize the counties of Tipton and Richardville, ...	460		462	595		632

335	A bill relative to certain public ground and water power in the town of Wabash, .	463	463	577	632
336	A bill to elect an additional constable in Montgomery county, ...	464	506	601	631
337	A bill to establish a State road from Little York to Providence, ...	464	464	577	629
338	A bill to incorporate the Richmond turnpike company &c., ...	465	465	576	632
339	A bill for the relief of the heirs of John Talbott, ...	465	509	602	628
340	A bill to vacate the town of Independence, .	466	466	577	631
341	A bill to detach certain territory from the county of Miami and attach the same to the county of Fulton, ...	466	466	602	631
342	A bill to reduce the prices paid for ferriages in Lawrence county, ...	466	466	577	628
343	A bill for the relief of the heirs of Samuel Howard deceased, ...	466	466	576	628
344	A bill to repeal a portion of an act relative to suits against Miami Indians, . .	466	466		
345	A bill to amend an act entitled "An act to provide for the payment of expenses incurred for the protection of the school fund &c., .	466	466	576	628
351	A bill relative to the surplus revenue fund in Blackford and Jay counties, . .	466	466	602	628
354	A bill to reduce the expenditures of the county of Carroll, ...	466	466	554	571
357	A bill for the relief of purchasers of school lands in Monroe county, . . .	466	466	576	631

BILLS OF THE HOUSE—*Continued.*

Number.	TITLES.	Introduced.	Proceedings, &c.	Passed House.	Passed Senate.	Other proceedings.	Approved.
358	A bill to exclude certain real estate from the incorporation of Michigan City, and to vacate an addition to said city, . .	466		466	577		629
361	A bill to provide for the summoning of petit jurors in Lagrange county, . .	466		466			631
346	A bill to authorize the qualified voters of this State to vote for or against a convention to revise the constitution of the State, .	467	509				
347	A bill to authorize the agent of the surplus revenue of Marion county to sell certain real estate, ...	467		501	602		630
352	A bill to vacate a part of state road in Tippecanoe county, ...	467		507	601		629
355	A bill to prevent the prosecution of individuals for certain acts, ...	467	507, 595				
359	A bill for the relief of purchasers of congressional school lands, . . .	467	506				
350	A bill to prevent seduction, . . .	467	506, 548, 626				

353	A bill to provide for the distribution of road and election laws,	467					
356	A bill to incorporate the Union Mill Company in Laporte county,	467		494	601		632
348	A bill to provide for the election of school commissioner in Putnam county,	467		467			630
349	A bill amendatory to the 96th and 97th sections of school law in revision,	468		506	601		
362	A bill making general appropriations for the year 1844,	468		548	601		631
360	A bill to amend a certain act therein named,	468		506	601		631
363	A bill relative to the surplus revenue fund,	469	472	472			
364	A bill to authorize the Protestant Episcopal Church in this State to raise a fund for the support of a Bishop, and to aid itinerant and superannuated ministers, etc.,	469		548	600		631
365	A bill to provide for repairing public buidings etc.,	472	488				
366	A bill to incorporate the Frankfort Railroad Company,	475		475	602		632
367	A bill for the relief of Jason Ham,	489		489	602		630
368	A bill to locate certain state roads therein named,	489		546	577		630
369	A bill for the relief of W. DeFord,	491					
370	A bill for the relief of Benjamin H. Scott,	491		491	602		628
371	A bill chaning a certain state road,	495		547	600		631
372	A bill to change the name of Boxleytown in Hamilton county,	495		495	601		631

BILLS WHICH ORIGINATED IN THE HOUSE OF REPRESENTATIVES — *Continued.*

Number.	TITLES.	Introduced.	Proceedings, &c.,	Passed House.	Passed Senate.	Other proceedings.	Approval.
373	A bill creating a change in the state road leading from Independence to Crawfordsville,	495		495	601		629
374	A bill authorizing a special term of the Vigo circuit court, ...	496		496	602		630
375	A bill declaring a certain road a state road in Clay county, ...	496		497	602		
376	A bill to legalize the location of a state road in Wabash and Kosciusko, . .	500		548	600		631
377	A bill for the relief of John Hoton, . .	500		500			
378	A bill to vacate the town of Savannah, .	500		501	602		632
381	A bill defining the duties of justices of the peace in Owen county, ...	505		505	601		629
382	A bill changing a certain county road to a state road, ...	505		505			
383	A bill to repeal an act making it the duty of county auditors to publish delinquent lands in newspapers in certain counties, .	516		516	593		
384	A bill relative to a certain mill dam in Kosciusko county, ...	517		517			

385	A bill to provide for repairing roads in Hancock county, - - - - -	517		517	602		630
386	A bill to repeal in part a certain law therein named, - - - - - -	517		517	602		630
387	A bill for the relief of Turner Nelson, -	517		517	601		629
390	A bill relative to justices of the peace in Posey county, - - - - -	518		518	602		630
388	A bill concerning certain indictments in Scott county, - - - - - -	518		518	593		628
391	A bill making specific appropriations for the year 1844, - - - - -	518	532, 546, 549, 561	568	592	593, 523	629
392	A bill to locate a certain state road therein named, - - - - - -	525		525	577		628
393	A bill more specially defining the duties of Treasurer of State, - - -	530	595	597			
394	A bill to vacate the town of Otsego, -	537		538	610		632
395	A bill for the relief of Jacob Daringer, -	539	555		602		630
396	A bill for the relief of John Yount and Phillip Weaver, - - - - -	539	555				
397	A bill to declare a certain road therein named a state road, - - - - -	540		540	577		628
398	A bill for the relief of the heirs of George W. Breckenridge, deceased, - -	540		604			
402	A bill to locate a state road in the counties of Porter and Lake, - - - -	542		542	577		630
403	A bill for the removal of the obstructions across the Rockport road, in Lawrence county, - - - - - -	542		542	602		631

BILLS OF THE HOUSE—*Continued.*

Number.	TITLES.	Introduced.	Proceedings, &c.	Passed House.	Passed Senate.	Other proceedings.	Approved.
404	A bill to change a certain part of a state road in Clay county,	544		544	577		628
405	A bill for the relief of Dowling & Cole, State Printers,	545		545	602		630
406	A bill for the relief of Aquilla Rogers, agent of three per cent. fund in Monroe county,	545		546	577		630
407	A bill permitting a dry dock at Wabash,	546		546	577		630
408	A bill to confine the voters of Hancock county to their respective townships,	550					
409	A bill to amend an act confining voters to their respective townships in the county of Tippecanoe,	553		553	602		632
410	A bill to amend the practice of law in the Allen circuit court, &c.,	553		554	602		632
411	A bill to vacate a certain state road therein named,	560		560	602		631

412	A bill repealing an act relating to mode of doing county business in certain counties therein named, so far as the same relates to the county of Clay, - - - -	569		569	602		629
413	A bill providing for the removal of the canal land offices to Logansport, - -			569			
415	A bill continuing the means for the instruction of the deaf and dumb of this State, -	609		609	610		632

BILLS WHICH ORIGINATED IN THE SENATE.

Number.	TITLES.	Reported from Senate.	Proceedings before passage.	Passed House.	Other proceedings.
5	A bill relative to a certain state road in the county of Elkhart,	99	141, 220	221	
12	A bill to correct the plat of the town of Enochsburg, in Franklin county,	99	100	189	521
23	A bill to reduce the salaries of Governor of State and other officers,	111	123		
7	A bill authorizing the several courts of Tippecanoe county to be holden in such place as herein specified during the erection of a new court house in said county,	99	99		
14	A bill to provide for summoning grand and petit jurors in Decatur county,	204	231	436	581
15	A bill to change the name of George R. Selkregg, &c.,	204	218	438	
26	A bill relating to election of seminary trustees in Daviess county,	204	218, 285		
23	A bill for the relief of William P. Andrews of the county of Rush,	204		204	521

9	A bill to incorporate the Brothers of St. Joseph, at South Bend,	205	227	438	581
10	A bill to incorporate the Lagrange Phalanx,	205	311, 557, 604		
25	A bill in relation to the auditor of Knox county,	205	218	438	
21	A bill in relation to sale of lands, &c., for delinquent taxes,	205	254	439	581
24	A bill to locate a state road in the county of Lawrence,	205	212	439	581
29	A bill to amend an act in relation to the writ of ad quod damnum,	205	206, 218, 296	436	581
37	A bill to repeal an act therein named,	205	206, 218	436	
53	A bill to amend an act for the relief of John Plasters, &c.,	206	218, 305	438	
8	A bill to incorporate the University of Notre Dame du Lac,	206	218	439	538, 570, 573, 607
19	A bill extending the jurisdiction of justices of the peace,	206	218	436	
32	A bill to vacate the western addition of the town of Palmyra, in Harrison county,	206	218	436	581
40	A bill to legalize the proceedings of the board of commissioners of the county of Monroe, &c.,	206	207	221	
44	A bill to authorize the board of commissioners of Lagrange county to sell real estate, &c.,	206	207, 217	436	
55	A bill establishing an additional place of holding elections in Perry county,	206	207, 217	438	
41	A bill for the relief of treasurers in certain counties, &c.,	237			

Number.	TITLES.	Reported from Senate.	Proceedings before passage.	Passed House.	Other proceedings.
42	A bill to amend the first section of an act entitled, 'an act, &c., authorizing the appointment of pilots, &c.,' - - - - - -	237	405	436	
58	A bill to locate a state road in Sullivan county, -	237	307	438	
57	A bill authorizing the recorder of Lagrange county to perfect the records of said county, - -	237	360	436	549, 583
18	A bill for the relief of purchasers of school lands, -	264	265, 359	439	581
43	A bill amending the 19th section of the 12th chapter, article 7, of the Revised Statutes, - -	264	265, 359, 584		624
48	A bill to constitute the several boards of county commissioners trustees of county libraries, -	264	265, 360		
52	A bill to prohibit the sale of spirituous liquors in the town of Greensborough, in the county of Henry,	264	265, 360	436	
56	A bill for the relief of J. Vawter, of Jefferson county,	264	265, 306	439	
62	A bill to repeal an act relating to roads and highways, - - - - - -	264	265, 360, 399	436	
63	A bill fixing the time of holding circuit courts in the fifth judicial circuit, - - - -	264	265, 323		

64	A bill regulating licenses, - - - - -	264	265, 359	436	
65	A bill for the benefit of the illegitimate children of John T. McClelland, - - - - -	264	265, 359		
69	A bill to compel the Superintendent of the Wabash and Erie canal to give bond and take an oath of office, - - - - - - - -	264			
76	A bill creating an additional place of holding elections in Parke county, - - - - -	264	265, 360	436	
89	A bill to incorporate the trustees of Madison University, - - - - - - -	345			
68	A bill allowing foreign and domestic merchandise, in the counties of Noble, &c., to be vended without license, - - - - - -	473	474, 508		
91	A bill providing for the location of a state road in the counties of Noble and Lagrange, - -	473	474	508	
154	A bill to change a state road in Daviess county, -	473	474	507	
83	A bill for the relief of Delaware and Grant counties, - - - - - - -	474		508	
66	A bill the better to secure the payment of the revenue into the State Treasury in such funds as are received by the county treasurers, - -	474		474	599
119	A bill repealing an act incorporating Hanover Academy, and an act amendatory of that act, -	497		497	600
47	A bill to establish an asylum for the education of deaf and dumb persons in this State, - -	511		554	600
77	A bill to vacate a certain street in the town of Washington, - - - - - -	511		555	

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Number.	TITLES.	Reported from Senate.	Proceedings before passage.	Passed House.	Other proceedings.
75	A bill to enable the mayor and council of the city of New Albany to appropriate certain labor for one year, - - - - - -	511		511	
78	A bill to locate a state road in Sullivan and Greene counties, - - - - - -	511		555	
79	A bill to legalize the appointment of school commissioner in Steuben county, - - -	511			
82	A bill for the improvement of the town of Attica,	511		555	
163	A bill amendatory of an act reducing tolls on the N. Albany and Vincennes road, - - -	512			
157	A bill to transfer the books, &c., of commissioner of Michigan road office to Auditor of State, -	512		512	
147	A bill fixing the time of holding courts in the ninth circuit, - - - - - -	512		526	
88	A bill to provide for the appointment of county auditor and school commissioner in the county of Perry, - - - - - -	513		513	
151	A bill for the location of a state road in the counties of Steuben, &c., - - - - -	513		555	

135	A bill defining the duty of the board of commissioners of Monroe county, &c., - - -	514		595	598, 607
136	A bill for the relief of George A. Spilker, - -	514		514	
137	A bill relative to the county library of the county of Marion, - - - - -	514		514	
139	A bill to allow the assessor of the county of Henry to qualify, - - - - -	514		514	
140	A bill supplemental to an act relative to Madison University, - - - - -	514		514	610
142	A bill to legalize the proceedings of the commissioners of the Indianapolis and Lafayette state road, - - - - - -	514			
143	A bill to vacate a part of a state road in Noble and Lagrange counties, - - - -	514		555	
120	A bill incorporating the town of South Bend, St. Joseph county, - - - -	514		516	
111	A bill to relocate the seat of justice of the county of Noble, - - - - -	514		514	572
60	A bill to enable married women to acquire and hold separate property, - - - -	519	521		
104	A bill to repeal an act therein named, - -	519		523	
150	A bill changing the time of holding courts in Ripley county, &c., - - - - -	519		523	
94	A bill authorizing supervisors of roads to make their returns to the board of commissioners at the June term, - - - - -	519	524	558	572
125	A bill legalizing the assignment of certain land by school commissioner of Marshall county, -	519		523	

Number.	TITLES.	Reported from Senate.	Proceedings before passage.	Passed House.	Other proceedings.
127	A bill to vacate a certain alley in the city of Lafayette,	520		523	
148	A bill extending benefits of valuation laws to judgment debtors, to the surplus revenue,	520			
153	A bill to amend the several acts authorizing the seizure of boats and other vessels for debt,	520	524		
101	A bill to amend the 15th chapter Revised Statutes,	520		523	
123	A bill for the relief of Ann Frankbower, executrix,	520	524	555	
118	A bill to legalize acts of board of com'rs. of Gibson county,	520		523	
115	A bill for the relief of A. Perkins,	520		523	
114	A bill to legalize the marriage of Oliver W. Sanger and Catharine his wife,	520		523	
108	A bill to amend act relative to summoning jurors in Grant co.,	520		523	
107	A bill to authorize the circuit court of Gibson county to grant a divorce in a certain case,	520		523	
71	A bill to amend act relative to the militia of Indiana,	520	524	554	
106	A bill to repeal an act therein named,	521		523	572

67	A bill to establish a state road in Miami county, -	521		523
93	A bill to appropriate the bank tax school fund to the inhabitants of the several counties, - -	521	524	
149	A bill amendatory of act for the relief of settlers on W. and E. canal lands, - - - -	521	525	555
61	A bill to amend act supplemental to act subjecting real and personal property to execution, - -	521	525	
96	A bill authorizing the issuing of a patent for a part of a lot of canal land, - - - -	521		523
103	A bill abolishing fee for issuing patents to purchasers of W. and E. canal lands, - - -	521		523
126	A bill to vacate the town of Northampton, -	521		523
102	A bill to amend the 34th sec. of chap. 7 of Revised Statutes 1843, - - - - -	526	527,556	
105	A bill giving authority to take proof of deeds as therein named, - - - - -	526	527	555
109	A bill to incorporate the first regular baptist church of Lafayette, - - - - -	526		
112	A bill to incorporate the Lafayette and White river turnpike company, - - - -	526	527	552
129	A bill to change the mode of selecting petit jurors in Lawrence county, ...	520		523
128	A bill to extend an act therein named to Delaware county, ...	520		523
131	A bill to incorporate the Lafayette Blues, . .	520		524
100	A bill to legalize the election of probate judge in Boone county, ...	520		523
99	A bill amending act relative to roads in Gibson and Pike, ...	520		523

Number.	TITLES.	Reported from Senate.	Proceedings before passage.	Passed House.	Other proceedings.
51	A bill providing for location of a state road in Randolph and Jay counties, ...	520	524	555	
155	A bill to restrict session of grand jury to three days in each term of Hancock circuit court, . .	520		561	600
146	A bill to provide for special session of circuit court of Jefferson county, ...	520		523	
158	A bill to legalize the recording of delinquent list in Gibson county, ...	520		523	
80	A bill abolishing office of county anditor in Union county, &c, ...	520	524		
122	A bill to incorporate the Muncietown and Grant co. turnpike company, ...	526	528	553	
124	A bill supplemental to the 12th art. of 40th chapter Revised Code of 1843, ...	526		556	
130	A bill to amend an act relative to continuance of public works by private companies, &c, . . .	526	528		
134	A bill to incorporate the Lawrenceburgh and Indianapolis turnpike company, ...	526	528		

145	A bill to amend the 16th chapter of Revised Code, relative to road tax, ...	526	528,543		
160	A bill to amend the 89th sec. of chap. 6 art. 7 of the Revised Statutes, ...	526	556		
161	A bill to relocate a state road in Bartholomew co. .	526		555	
162	A bill for the relief of the borrowers of school funds in township No. 8, in Monroe county, . .	526		526	
165	A bill for the relief of Patrick Justice, - -	526		526	
166	A bill relating to road labor in Randolph county, .	526		526	
167	A bill to authorize S. Steinbarger to erect a mill dam across the Mississinewa river, . . .	526		526	
169	A bill to incorporate the college corner and Liberty turnpike company, &c, ...	526		526	
171	A bill to change the name of Aaron Dyer Bull to that of Aaron Dyer, - - - -	527		527	
172	A bill to provide for the election of a justice in Ferdinand and Dubois counties, . . .	527		527	
174	A bill to enable commission merchants to enforce liens, -	527		529	594,598
173	A bill for the relief of purchasers of school lands in Delaware county, ...	527		527	
179	A bill relative to establishment of ferries, . .	527		527	
183	A bill for the relief of John Houghton, . .	527		527	
184	A bill in relation to the city of Indianapolis, .	527		559	600
181	A bill to repeal certain acts in relation to seminary and library in Crawford county, . . .	527		527	
141	A bill defining the duties of state agent, . .	520		556	
189	A bill in relation to the boundary line between the counties of Clark and Floyd, . . .	530		530	

Number.	TITLES.	Reported from Senate.	Proceedings before passage.	Passed House.	Other proceedings.
200	A bill to repeal an act therein named so far as relates to Delaware and St. Joseph counties,	560		560	
199	A bill to certify a certain cause to the supreme court,	571			
201	A bill authorizing superintendent of W. E. canal to correct error in certificate No. 3836, of canal lands,	571		572	
202	A bill for the relief of W. N. Duzan of Boone co,	571		572	
180	A bill to incorporate Rushville and Shelbyville railroad company,	571		572	
177	A bill amending act incorporating Madison and Lawrenceburgh,	571		572	572, 600
182	A bill relative to settlement with securities of Saml. Monroe, late school com'r of Hamilton county,	571		572	
97	A bill providing for the repairs of roads &c,	577	582		
175	A bill repealing certain laws relative to township business in Miami co,	577		583	
185	A bill for the relief the securities of William Johnson, late collector of Sullivan county,	577			
187	A bill to amend 110th sec., 13th chap., of Revised Statutes, 1843,	577	583		

188	A bill authorizing county board of Perry co. to settle with John Elder, ...	578	583
195	A bill to incorporate St. Mary's Seminary, . .	578	
190	A bill regulating time of holding courts in Tippecanoe county, ...	578	583
152	A bill for the relief of boatmen on W. and E. canal and for the establishment of a medical infirmary, .	578	582
193	A bill to establish a road from Crown Point to Michigan city, - - - - - - -	578	583
194	A bill providing for the payment of certain claims due Saml. Myers, et. al., - - -	578	583
205	A bill supplemental to act relative to Lick creek and Lost river, - - - - -	593	593

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Takes the oath of office, - - - - - 33

BRIGHT, M. G.

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William H. English elected Principal Clerk, - - 6
W. Jennings Vawter elected Assistant Clerk, - - 6
John S. Berryhill elected Door Keeper, - - - 7
William S. Roberts elected Sergeant-at-arms, - - 42
James Whitcomb declared duly elected Governor, - - 30
Jesse D. Bright declared duly elected Lieut. Governor, - 30
Ebenezer M. Chamberlain elected President Judge 9th Judicial Circuit, - - - - - - - 161
John Law elected President Judge 7th Judicial Circuit, - 161
Jehu T. Elliott elected President Judge 6th Judicial Circuit, 161
Michael G. Bright elected Agent of State, - - - 237
Ebenezer F. Lucus elected Gen. Superintendent W. & E. Canal, 239
Delana R. Eckles elected State Printer, - - - 302
James Morrison elected President State Bank, - - 349
A. C. Pepper elected Bank Director, - - - 367
Jacob P. Chapman elected State Printer, - - - 393

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JOINT RESOLUTIONS WHICH ORIGINATED IN THE HOUSE OF REPRESENTATIVES.

Number.	TITLES.	Introduced.	Proceedings, &c.	Passed House.	Passed Senate.	Other proceedings.	Approved.
1	A joint resolution on the subject of the Cumberland road,	47		434	580		606
2	A joint resolution in relation to refunding the fine imposed upon Gen. Andrew Jackson by Judge Hall, and for other purposes,	47	70, 97	98	397		599
14	A joint resolution in relation to newspaper and pamphlet postage,	60	72, 97, 127, 219	220			599
15	A joint resolution on the subject of the Oregon territory,	60	73	435	572		605
49	A joint resolution in regard to pre-emptions,	85	96				
59	A joint resolution on the subject of reducing the salaries and pay of all officers of the general government,	91	142, 315	441	580		630
60	A joint resolution in relation to certain repairs on the bridge across White river on the National road,	91	141, 188	188	264		372
61	A joint resolution for a light house at City West,	91	141, 189	189	263		372

62	A joint resolution authorizing the Governor of the State of Indiana to employ some suitable person to appear in the Supreme Court of the United States in defence of our appraisement and execution laws, - -	91	142, 453				
63	A joint resolution in relation to a road from Noblesville to Peru, - - - -	91	142				
69	A joint resolution on the subject of the annexation of Texas to the United States, -	100					
91	A joint resolution in relation to an armory on the Western waters, - - - -	139	154	201	519	525	632
93	A joint resolution in relation to a canal at the falls of the Ohio river, - - - -	139	157, 220	220	263		372
95	A joint resolution suspending the pay of members of the General Assembly at times therein specified, - - - - -	139					
149	In relation to grant of land for completion of Central canal, - - - - -	201	219	220	264		372
150	On the subject of reducing minimum price of lands of U. S., &c., - - - -	202		547			
151	Requesting Congress to donate public lands for school purposes, - - - - -	202	215	435			
176	Relative to granting certain lands for common school purposes, - - - - -	234	357, 433				
203	A joint resolution supplemental, &c. in relation to settlement with the Messrs. Cohens,	271	280, 284, 406				
227	A joint resolution authorizing H. Lasselle, of Cass county to sue the State of Indiana, -	373	444, (indef. postp.)				

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Number.	TITLES.	Introduced.	Proceedings, &c.	Passed House.	Passed Senate.	Other proceedings.	Approved.
275	A joint resolution amendatory of jt. res. relative to cancelling State bonds, &c., -	390	502	548	601		632
316	A joint resolution for the relief of Samuel Campbell, - - - -	432		547	598		631
317	A joint resolution relative to international literary exchanges, - - - -	432		499	603		629
318	A joint resolution on the subject of the French Lick in Orange county, - - -	432		432	581	583, 624	631
323	A joint resolution concerning the laws of this State relating to real property, - -	451		506			
325	A joint resolution providing for the compensation of the revisors, - - -	454		455	581	582	609
326	A joint resolution to suspend the formation of the county of Ohio, and re-location of co'ty seat of Dearborn county, until said county shall be surveyed, - - -	455	509				
379	A joint resolution for the relief of William Willard, - - - - -	501		502			
297	A jt. res. respecting the State Prison, -	409		409	601		

380	A joint resolution relative to liquidating State debts of Indiana, - - - -	504		540			
389	A jt. resolution in relation to the Revised Statutes of 1843, - - - -	518					
297	A joint resolution respecting State Prison, -				519		599
398	A joint resolution relative to furnishing the different counties with official maps in township form, - - - - -	540					
400	A jt. res. providing that each member of Gen. Assembly shall be entitled to Revised Code,	541		541	577		628
401	A jt res. relative to the settlement of the sinking fund account, - - - -	542					
414	A jt. res. to suspend the operation of a certain jt. res. therein named, - - -	414	Rejected.				
416	A jt. res. instructing our Senators, &c. to use their influence, &c. in arrest of slavery, -	623	Rejected.				

JOINT RESOLUTIONS WHICH ORIGINATED IN THE SENATE.

Number.	TITLES.	Reported from Senate.	Proceedings before passage.	Passed House.	Other proceedings.
6	In relation to the completion of a harbor at Michigan City,	99		99	
39	A joint resolution requesting the Governor to communicate with the Governor of State of New York, &c.,	206	206, 218	438	
49	A joint resolution in relation to an appropriation on the National road in Indiana,	237	358	436	
34	On the subject of organizing Oregon territory,	264	265		
13	A joint resolution explanatory of an act entitled an act for the relief of Jesse J. Burton and Joseph Luther, and an act for the relief of Nathan Burchfield, &c.,	345	358, 385, 395	397	513, 600, 608, 610, 538, 573, 574,
31	A joint resolution relative to the State Bank, &c.	473	474	507	
133	A joint resolution in relation to the completion of the Wabash and Ohio canal,	521		523	
173	A joint resolution suspending a certain act therein named,	527		529	571, 574, 594
185	A joint resolution relative to the purchase of water-rotted hemp for the U. S. Navy,	527		527	

197	A joint resolution on the subject of the State House, - - - - - -	571		
3	A joint resolution on the subject of improving the navigation of the Mississippi, Ohio, and Wabash rivers, - - - - - -	98	99, 141	189

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SUBJECT MATTER OF.	Introduced.	Mover's name.	Adopted.	Other procedings.
Informing the Senate of the organization of House,	7	Mr. Rich,	7	
Adopting rules of '42–'3,	7	Norvell,	7	
Giving reporters a seat within the bar,	7	Logan of W.,	7	
Requesting Rev. Mr. Beecher to open session with prayer,	8	Saffer,	8	
That door-keeper of House, *ex-officio*, act as Sergeant-at-Arms,	8	Parker,		Laid on table.
Enquiring of the Governor as to the genuineness of the message in the State Sentinel,	10	Parker,	10	
For a committee to wait on Governor,	10	Morgan,	10	
Resolution in relation to adjourning *sine die*,	11	Norvell,		Laid on table.
Providing for the printing of standing committees, and order of business,	12	Foley,	12	
Inviting Senate to be present at prayer,	13	Logan of W.,	12	
Requesting Secretary of State to furnish six copies of revised laws,	22	Simonson,	22	
That the door-keeper contract for two copies each of the Sentinel and Journal,	22	Gorman,		Not adopted.
Directing printer to print 2.000 copies Governor's message,	23	Dowling,	23	
Requesting Messrs. Chapmans to communicate their reasons for their prematurely publishing the Governor's annual message,	24	Gorman,	26	

Inviting the Senate to be present at the opening of the returns of the votes for Governor, &c.,	26	Mr. Edmonston,	26	
Directing Principal Clerk to furnish rules for use of House,	26	Foley,	26	
Appointing committee to wait on James Whitcomb and Jesse D. Bright, to inform them of their election to the office of Governor and Liu't. Governor,	30	Moore,	30	
Instructing door-keeper to contract for the Journal and Sentinel for the use of the members of House,	30	Gregory,	31	
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Inviting Judges of Sepreme court to be present to witness the oath of office administered to Gov. Whitcomb and L't. Gov. Bright,	32	Mooney,	32	
Inviting Senate into the Hall on the same occasion, last above,	32	Roberts of P.,	32	
Directing the printing of the Governor's inaugural address,	38	Ferry,	38	
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Enquiring into the expediency of making certain alterations in the execution law,	44	Gorman,		Not adopted,
In relation to reinstating the records of Miami county,	44	Bearss,	44	
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Providing that non-reidents may pay their taxes into State Treasury,	46	Hardin,	46	
Proposing to reduce fees and salaries,	46	Logan of W.,	46	
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SUBJECT MATTER OF.	Introduced,	Mover's name.	Adopted,	Other proceedings.
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Providing that land lying in the respective school districts should not be taxed for support of common schools, - - - - -	47	Handy,		Not adopted,
In relation to the more speedy collection of debts after 1st Jan'y., 1844, under control of excutors, &c., - - - - -	47	Athon,	47	
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Instructing judiciary committee in regard to amending execution laws,	58	Saffer,	58	
Instructing committee on ways and means in relation to time of assessing personal property,	58	Dowling,	58	
Instructing judiciary committee in relation to exemptions from execution,	59	Simpson,	59	
In relation to justices of the peace,	59	Hurlbut,	59	
In relation to canal scrip,	59	Blakemore,	59	
In reference to probate courts,	59	Ferry,	60	
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In relation to capital punishment,	60	Hobbs,	60	
In relation to probate courts,	65	Garrett,	65	
In relation to amending road laws,	65	Seller,	65	
In relation to furnishing ten extra copies of the Revision for the use of the House,	65	Hannah,	65	
In regard to the State Bank issuing small bills or notes for less than ten dollars,	66	Spicknall,	65	
In relation to the expediency of purchasers of school lands relinquishing a part of their purchase,	66	O'Neall,	66	
In relation to changing the estray law,	66	Morgan,	66	
In relation to amending the militia law,	66	Blakemore,		Not adopted.
In relation to payment for school lands,	66			
In relation to penalties for delinquents of 1840,	67	Chapman,	67	
In relation to county auditors,	67	Matheny,	67	

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SUBJECT MATTER OF.	Introduced.	Mover's name.	Adopted.	Other proceedings.
In relation to township trustees,	67	Mr. Logan of W.,		
In relation to fees and salaries,	67	Miller of C.,	67	
In relation to school funds,	67	Robbins,	67	
In relation to private secretary of the Governor,	68	Mickle,	68	
In relation to lands mortgaged to the State,	68	Holloway,	68	
In relation to the funds in the Treasury,	68	Turman,	68	
In relation to the pay of jurors,	68	Miller of V.,	68	
In relation to the State Prison,	68	Lee of P.,	68	
In relation to justices of the peace,	68	Hurlbut,	68	
In relation to justices of the peace,	68	Bearss,	68	
In relation to the road law,	69	Handy,	69	
In relation to the sale of certain lands,	70	Edmonston,	70	
In relation to the appraisement law,	70	Matheny,	70	
In relation to the militia law,	83	Logan of W.,	83	
In relation to the salaries of Secretary, Auditor, and Treasurer of State,	83	Dowling,	83	
As to expediency of reducing the State tax to ten cents on the hundred dollars,	83	O'Neall,	83	
As to the expediency of amending the law in relation to the property allowed to widows,	83	Bowles,	84	
Relative to reorganizing probate courts,	83	Robbins,	84	

Relative to deaf and dumb,	84	Gregory,	84
As to the cost of public printing this year,	84	Gorman,	84
In relation to bond of treasurers and collectors,	84	Rich,	84
Relative to the improvement of horses,	84	Miller,	84
Relative to settlers in Miami Reserve,	84	Clark of H.,	84
Relative to pay of clerk of the State Prison,	84	Moore,	84
Relative to the election of township and county officers,	84	Athon,	84
Relative to docket fees in circuit courts,	90	McDonald,	90
In relation to vending clocks,	90	Blakemore,	90
Relative to amount of salaries of county auditors,	91	Mickle,	91
In relation to the constitutionality of sec. 124, chap. 12, Rev. Stat., relative to delinquent lands,	105	Chapman,	105
On instructing the judiciary committee on the expediency of suits in defendant's own township,	105	Tevis,	105
On the expediency of repudiation,	105	Hodges,	105
In relation to the assessment of real and personal estate,	105	Engle,	
For the extension of the Wabash and Erie canal west of Lafayette,	105	Shelby,	
On amendment of appraisement law,	106	Elder,	
On the election of President Judges,	106	Gregory,	
In relation to the toll for water rents on Wabash and Erie canal in Blue Pup, &c.,	106	Holloway,	
Committee on military affairs to employ clerk,	106	Logan of W.,	
Inviting the Senate into the Hall of the House of Representatives for the purpose of going into the election of Treasurer of State,	120	Gorman,	120
On printing reports for use of State Prison,	110	Athon,	110
On altering Constitution of the State,	110	Chapman,	
On going into election for President Judges,	129	Gorman,	
In relation to a standing rule of the House,	129	Norvell,	
As to the expediency of repealing certain sections of Rev. Statutes,	137	Hannah,	214

RESOLUTIONS—*Continued.*

SUBJECT MATTER OF.	Introduced.	Mover's name.	Adopted.	Other proceedings.
Relative to the duties of grand jurors,	137	Mr. Tevis,		
Relative to tolls on the New Albany and Vincennes turnpike road,	137	Burton,		
Relative to the payment of State Scrip into the school fund,	137	Robbins,		
That the Chair shall respond to no member out of his seat,	137	O'Neall,		
Relative to road taxes,	137	Miller,		
Relative to the right of Mr. Woolman to a seat,	138	Gorman,		
Relative to county jailors,	138	Nutter,		
Relative to stationary,	138	Bowles,		
Relative to the common school fund,	138	Montague,		
Relative to the service of process in trespass quare clausum fregit, &c.,	138	McClure,	133	
Relative to the expenses of State Agent,	151	Dowling,		
Relative to the execution law,	151	James,		
Relative to debts due minor heirs,	151	Wright,		
Relative to printing the laws regulating the duties of justices of the peace, &c.,	151	Blakemore,		
On inviting Senate into Hall of House of Representatives for the purpose of going into election of President Judges to fill vacancies,	160	Edmonston,		
Relative to committee on ways and means employing a clerk,	164	Bowles,		
On the report of Agent of State referring to settlement with Stapp,	173	Simonson,		
On instructing the committee on education in reference to saline funds in Washington and other counties,	173	Logan of W.,	173	

On the subject of blacks and mulattoes, &c.,	174	Ferry,		Laid on table.
In relation to road tax on real estate, &c.,	174	Robbins,	174	
Relative to Dr. Evans of Attica on lunrtic asylum,	174	Norvell,	174	
Securing to married women the control of property, &c.,	174	Moore,	174	
On electing President of State Bank,	174	Forseman,	174	
On the subject of raising revenue,	174	Nutter,		Not adopted.
On requiring the judiciary committee to examine into expediency of amending revenue law, reducing collectors' fees,	174	Miller of C.,	174	
In relation to the State Prison,	175	Simonson,		
On the expediency of amending the execution law,	175	Halbert,		Not adopted.
On the reduction of fees and salaries of officers,	175	Morgan,		
Relative to committee on ways and means employing a clerk reconsidered,	175	Logan of W.,	176	Recons'd 176.
That the clerks of this House be authorized to employ assistants, &c.,	180	Simonson,	180	
Requesting Agent of State to report to House, &c.,	181	Simonson,		
On instructing the committee on canals, &c., as to the expediency of amending, &c., so much of an act passed January 31st, 1843, as relates to the duties of commissioner, &c.,	182	Simonson,	183	
On allowing constables and other officers the benefit of execution in certain cases,	198	Williams,	198	
Instructing the judiciary committee in relation to Superintendent on the Wabash and Erie canal to give bond and security,	198	Montague,	198	
In relation to remitting the penalty on all delinquent tax payers for the year 1839, &c.,	198	Simpson,	198	
In relation to the constructing of a feeder dam at Peru, on Wabash river,	198	Edger,	198	
That J. P. Smith report to this House a copy of estimate, &c.,	198	O'Neall,	198	
In relation to rescinding the contract for the erection of a new penitentiary,	198	Gregory,	198	

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SUBJECT MATTER OF.	Introduced.	Mover's name.	Adopted.	Other proceedings.
Relative to the time of meeting and adjourning of the House of Representatives,	198	Mr. Ferry,		Not adopted.
In relation to election returns, &c.,	198	Morgan,	199	
On the subject of appraisement laws now in force,	198	McDonald,		Not adopted.
Relative to crime,	200	Mickle,	200	
Relative to the receipts and disbursements on the New Albany and Vincennes road, &c.,	200	Simonson,	200	
Relative to magistrates' jurisdiction in criminal cases,	200	Norvell,	200	
Relative to the fees allowed to county auditors,	200	Montague,	200	
Relative to the tolls on stone on the Wabash and Erie canal,	200	Blakemore,	200	
Requesting President of State Bank to report in relation to the construction of various Branches, &c.,	213	Edmonston,	214	
Relating to the per diem allowance of absent members, &c.,	214	Seller,		Not adopted.
On instructing judiciary committee to inquire into the expediency of repealing the 5th section of article 1 of chapter 35 of the Revised Statutes, &c.,	214	O'Neall,	214	
On requiring committee on ways and means to inquire into expediency of amending the law regulating taverns and groceries,	214	Miller,	214	
Instructing judiciary committee in relation to duties of county auditors,	231	Hannah,	231	
In relation to the receipts and disbursements on the Central canal, &c.,	231	Jones of F.,	231	

On the discrepancy of certain statutes relative to the duties of county auditors and county treasurers,	232	Engle,	232	
On Auditor of State furnishing this House with details of reports of agents,	232	Bowles,	232	
In relation to the 60th section of the 15th chapter of the revised school law,	232	Logan of W.,	232	
In relation to justices making and returning bill of cost with execution to constable,	232	Foley,	232	
In relation to discrepancies in school law,	232	Norvell,	232	
In relation to the Indiana Horticultural Society having use of Hall,	232	Sutherland,		Not adopted.
On the subject of fees and salaries,	232	Miller of C.,		Not adopted.
In relation to execution issuing on bonds given as security for costs in any suit,	233	Barbour,		Not adopted.
On amending the 15th section of the practice act,				
Relative to docket cases,	233	Norvell,	233	
On the expediency of changing the road laws,	233	Spicknall,	233	
On the subject of allowing witnesses mileage,	233	Saffer,		Not adopted.
In relation to jurisdiction of justices of the peace,	233	Ford,	233	
On extending jurisdiction of justices of the peace over one hundred dollars,	233	Nutter,		Not adopted.
In relation to fees and salaries,	233	Hosttetter,		Not adopted.
On the subject of seminaries,	256	Rich,	257	
On granting the use of Hall to State Horticultural Society for meeting on New Year's day,	257	Sutherland,	257	
Relative to school law,	257	Huddleston,	257	
On the subject of disinterring dead bodies,	257	Roberts of L.,	258	
On amending execution laws, so as to enable laborers to prosecute their occupations and pursuits,	258	Verbrike,	258	

SUBJECT MATTER OF.	Introduced.	Mover's name.	Introduced.	Other proceedings.
That the two oldest justices in each township ex officio act as overseers of the poor,	257	Mr. Allen of L.,	257	
In relation to the per diem allowance of members of the House for the first day of January,	260	Palmer,		Laid on table.
On inviting Senate into Hall of House relative to election of State Agent, &c.,	286	Elder,	286	
Relative to meeting and adjourning remainder of session,	293	Gorman,	293	
Inviting Senate into Hall to go into election of State Printer,	301	Norvell,	301	
Concerning the exemption of 125 dollars' worth of property from taxation,	326	Simonson,	326	
Arranging time of holding courts in the third judicial circuit,	326	Hiatt,	326	
In relation to proceeding to orders of the day at two o'clock of each day,	326	Edmonston,	326	
Concerning assessment of property,	326	Tevis,	326	
Granting use of Hall to Dr. McMasters,	326	Parker,	326	
Amending law relative to arbitrations,	326	Blakemore,		Not adopted.
Relative to amending school law,	327	Ford,		Laid on table.
Securing funds to weak school districts,	327	Logan of W.,	327	
Declaring common school houses county seminaries, &c.,	327	Jones of F.,	327	
Compelling persons who cause a prosecution to be instituted to pay costs if prosecution fail,	327	Edger,	327	

Calling on committee on canals for report,	327	Norvell,	327	
Providing for the destruction of redeemed Treasury Notes,	364	Edmonston,	364	
Informing Senate that the House was ready to go into election of Bank Director,	367	Gorman,	367	
Inviting Senate into Hall of House to go into election of State Printer,	393	Gregory,	393	
Resolving that the H. R. would hold night sessions,	417	O'Neall,	417	
Authorizing Wm. H. English to withdraw certain papers from files of House,	420	Gorman,	420	
Relative to water power on Central canal,	420	Sutherland,	420	
That the committee of ways and means inquire as to the number of clerks necessary to be employed by State Auditor,	432	James,	432	
Providing that no new business should be received by House after 11th of January,	447	O'Neall,		Laid on table.
Giving Rev. Samuel Morrison use of Hall,	518	Handy,	518	
Relative to night sessions,	536	Robbins,	536	
Relative to amending that part of the Revised Statutes making provisions for distribution of the surplus estate of deceased persons, and the payment of legacies,	410	Logan of W.,	410	
Relative to abolishing office of school commissioner, &c.,	410	Chapman,	410	
Giving use of Hall to Democratic Convention,	410	Dowling,	410	
Relative to office of school commissioner,	410	Sutherland,	410	
Relative to report of the board of commissioners of the sinking fund,	411	Barbour,	411	
Relative to dividing State into judicial probate circuits, &c,	411	Verbrike,	411	
That the House would, the Senate concurring, proceed to elect State Librarian,	411	Hardin,	411	
Relative to the order for calling for reports from committees,	411	Sutherland,		Not adopted.
Relative to canal scrip,	411	Garrett,		Not adopted.
Relative to the duties of Superintendent of Wabash and Erie canal,	411	Forseman,		Not adopted.
Calling on Auditor of State for certain information,	549	Moore,	549	

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SUBJECT MATTER OF.	Introduced.	Mover's name.	Adopted.	Other proceedings.
Requesting Treasurer of State to deliver mutilated State Bonds to members of General Assembly, - - - - - -	553	Mr. McRae,	553	
Calling on Auditor of State for certain information, - -	558	Moore,	558	
Relative to a remonstrance of citizens of Miami county, - -	627	Bearss,	627	
Directing Principal Clerk to call on Auditor of State for certain information, - - - - - - - -	604	Moore,	604	
Resolving that the Senate be informed that the House is ready to adjourn *sine die*, - - - - - - - -	633	Tevis,	633	

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SENATE.

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Proposes to go into election of Treasurer and Auditor of State, 9
Reciprocates resolution of House, and appoints committee to wait on Rev. Mr. Berry, - - - - 10
Requests return of resolution in relation to election of Auditor and Treasurer of State, - - - - 11
Appoints committee to wait on Governor, - - - 13
Reciprocates resolution of House appointing committee to wait on Governor, - - - - - 12
Comes into the House to witness the opening of the returns of the votes for Governor, &c. - - - - 29
Reciprocates resolution of House appointing committee to wait on Messrs. Whitcomb and Bright to inform them of their election, - - - - - - 31
Comes into House to witness the oath of office administered to Gov. Whitcomb and Lieut. Gov. Bright, - - 32
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Proposes to go into election of President Judges of judicial circuits, - - - - - - 159
Proposes to go into election of Superintend't W. & E. canal, 165
On the election of State Agent, - - - - 171
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On the election of State Agent, &c., - - 274, 177
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Proposes to go into election of State Printer, - - 392
Proposes to go into election of State Librarian, - - 503
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House decides to go into election of, - - - 39
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Appoints standing committees, - - - - 28
Announces order of business, - - - - 27
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Lays before the House a communication of I. P. Smith, - 209
Lays before the House the communication of Hon. Samuel Merrill, P. S. B., - - - - - 222
Lays before the House the communication of Morris Morris, Auditor of State, - - - - - 229
Lays before the House the communication of M. G. Bright, State Agent, - - - - - - 238
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Lays before the House the communication from J. B. Dubois, 252
Lays before the House a communication of M. Morris, Esq. 280
Lays before the House a communication of Auditor of State, containing the returns of treasurers of counties, &c. - 280
Lays before the House a communication of D. Agnew, postmaster at Wheeling, Va., - - - - 280
Lays before the House a remonstrance of citizens of Martin county, - - - - - - 280
Lays before the House the petition of John Smith, &c. - 280
Lays before the House the petition of James Coleman, &c. 280
Lays before the House com. from John Dowling, St. Printer, 447

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